

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One-hundred-first Legislative Day

Friday, April 22, 2016

1 Prayer by Pastor Dr. Dix Winston, Cross Point Community Church,
2 Centennial.

3

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

5

6 Pledge of Allegiance led by Kiera Johnson, Arrupe Jesuit High School,
7 Denver.

8

9 The roll was called with the following result:

10

11 Present--65.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Willet, the reading of the journal of
17 April 21, 2016, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

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

28

29 **HB16-1368** by Representative(s) Tyler--Concerning the codification
30 of current practice for the management of records of
31 governmental agencies.

32

33 Laid over until April 25, retaining place on Calendar.

34

35 **HB16-1381** by Representative(s) Primavera, Esgar, Melton, Williams;
36 also Senator(s) Todd--Concerning health insurance
37 coverage for the early detection of cancer.

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
42 bill was declared **passed**.

43

| | YES | 38 | NO | 27 | EXCUSED | 0 | 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 | Y | Humphrey | N | Navarro | N | Thurlow | N |
| 8 | Carver | N | Joshi | N | Neville P. | N | Tyler | Y |
| 9 | Conti | N | Kagan | Y | Nordberg | N | Van Winkle | N |
| 10 | Coram | N | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 11 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | N |
| 12 | Danielson | Y | Landgraf | N | Primavera | Y | Williams | Y |
| 13 | DelGrosso | N | Lawrence | N | Priola | Y | Wilson | N |
| 14 | Dore | N | Lebsock | Y | Rankin | N | Windholz | Y |
| 15 | Duran | Y | Lee | Y | Ransom | N | Winter | Y |
| 16 | Esgar | Y | Leonard | N | Rosenthal | Y | Wist | N |
| 17 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 18 | | | | | | | Speaker | Y |

19 Co-sponsor(s) added: Representative(s) Buckner, Danielson, Fields, Hamner,
20 Lontine, Mitsch Bush, Pettersen, Priola, Rosenthal, Ryden, Tyler, Vigil, Winter,
21 Young, Speaker

22
23 **HB16-1387** by Representative(s) Primavera; also Senator(s) Woods--
24 Concerning health insurance coverage for severe protein
25 allergic conditions.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

| | YES | 43 | NO | 22 | EXCUSED | 0 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 33 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 34 | Becker J. | N | Foote | Y | McCann | Y | Saine | N |
| 35 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 36 | Brown | N | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 37 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 38 | Buckner | Y | Humphrey | N | Navarro | N | Thurlow | N |
| 39 | Carver | N | Joshi | Y | Neville P. | N | Tyler | Y |
| 40 | Conti | Y | Kagan | Y | Nordberg | N | Van Winkle | N |
| 41 | Coram | N | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 42 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | N |
| 43 | Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y |
| 44 | DelGrosso | N | Lawrence | N | Priola | Y | Wilson | N |
| 45 | Dore | Y | Lebsock | Y | Rankin | Y | Windholz | N |
| 46 | Duran | Y | Lee | Y | Ransom | N | Winter | Y |
| 47 | Esgar | Y | Leonard | N | Rosenthal | Y | Wist | Y |
| 48 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 49 | | | | | | | Speaker | Y |

50 Co-sponsor(s) added: Representative(s) Fields, Ginal, Lontine, Ryden, Singer,
51 Tyler, Winter, Speaker

52
53 **HB16-1341** by Representative(s) Ginal and McCann, Pettersen,
54 Lebsock; also Senator(s) Ulibarri--Concerning protecting
55 animal species threatened with extinction by prohibiting
56 trafficking.

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

| | YES | 34 | NO | 31 | EXCUSED | 0 | ABSENT | 0 |
|--------------|-----|----|----------------|----|-------------|---|------------|---|
| 7 Arndt | Y | | Fields | Y | Lundeen | N | Ryden | Y |
| 8 Becker J. | N | | Foote | Y | McCann | Y | Saine | N |
| 9 Becker K. | Y | | Garnett | Y | Melton | Y | Salazar | Y |
| 10 Brown | N | | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 11 Buck | N | | Hamner | Y | Moreno | Y | Singer | Y |
| 12 Buckner | Y | | Humphrey | N | Navarro | N | Thurlow | N |
| 13 Carver | N | | Joshi | N | Neville P. | N | Tyler | Y |
| 14 Conti | N | | Kagan | Y | Nordberg | N | Van Winkle | N |
| 15 Coram | N | | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 16 Court | Y | | Kraft-Tharp | Y | Pettersen | Y | Willett | N |
| 17 Danielson | Y | | Landgraf | N | Primavera | Y | Williams | Y |
| 18 DelGrosso | N | | Lawrence | N | Priola | N | Wilson | N |
| 19 Dore | N | | Lebsock | Y | Rankin | N | Windholz | N |
| 20 Duran | Y | | Lee | Y | Ransom | N | Winter | Y |
| 21 Esgar | Y | | Leonard | N | Rosenthal | Y | Wist | N |
| 22 Everett | N | | Lontine | Y | Roupe | N | Young | Y |
| 23 | | | | | | | Speaker | Y |

24 Co-sponsor(s) added: Representative(s) Becker K., Court, Esgar, Kagan,
 25 Primavera, Rosenthal, Ryden, Tyler, Speaker

26
 27 [HB16-1427](#) by Representative(s) Pabon; also Senator(s) Hill--
 28 Concerning exempting multi-serving liquid retail
 29 marijuana products from the sales equivalency limitation.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

| | YES | 60 | NO | 5 | EXCUSED | 0 | ABSENT | 0 |
|--------------|-----|----|----------------|---|-------------|---|------------|---|
| 37 Arndt | Y | | Fields | Y | Lundeen | Y | Ryden | Y |
| 38 Becker J. | Y | | Foote | Y | McCann | N | Saine | Y |
| 39 Becker K. | Y | | Garnett | Y | Melton | Y | Salazar | Y |
| 40 Brown | Y | | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 41 Buck | Y | | Hamner | Y | Moreno | Y | Singer | Y |
| 42 Buckner | Y | | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 43 Carver | N | | Joshi | Y | Neville P. | Y | Tyler | Y |
| 44 Conti | Y | | Kagan | Y | Nordberg | Y | Van Winkle | Y |
| 45 Coram | Y | | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 46 Court | Y | | Kraft-Tharp | Y | Pettersen | Y | Willett | Y |
| 47 Danielson | Y | | Landgraf | Y | Primavera | N | Williams | Y |
| 48 DelGrosso | Y | | Lawrence | Y | Priola | Y | Wilson | Y |
| 49 Dore | Y | | Lebsock | Y | Rankin | Y | Windholz | Y |
| 50 Duran | Y | | Lee | Y | Ransom | Y | Winter | Y |
| 51 Esgar | Y | | Leonard | Y | Rosenthal | Y | Wist | N |
| 52 Everett | Y | | Lontine | Y | Roupe | Y | Young | Y |
| 53 | | | | | | | Speaker | Y |

54 Co-sponsor(s) added: Representative(s) Arndt, Ginal, Lebsock, Ryden, Singer,
 55 Tyler, Speaker

56

1 **HB16-1400** by Representative(s) Ryden; also Senator(s) Todd--
 2 Concerning the prohibition of retaliatory action against a
 3 homeowner in relation to the homeowners' association to
 4 which the homeowner belongs.
 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**.
 10

| | YES | 36 | NO | 29 | EXCUSED | 0 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 12 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 13 | Becker J. | N | Foote | Y | McCann | Y | Saine | N |
| 14 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 15 | Brown | N | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 16 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 17 | Buckner | Y | Humphrey | N | Navarro | N | Thurlow | N |
| 18 | Carver | N | Joshi | N | Neville P. | N | Tyler | Y |
| 19 | Conti | N | Kagan | Y | Nordberg | N | Van Winkle | N |
| 20 | Coram | N | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 21 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | N |
| 22 | Danielson | Y | Landgraf | N | Primavera | Y | Williams | Y |
| 23 | DelGrosso | N | Lawrence | N | Priola | Y | Wilson | N |
| 24 | Dore | N | Lebsock | Y | Rankin | N | Windholz | N |
| 25 | Duran | Y | Lee | Y | Ransom | N | Winter | Y |
| 26 | Esgar | Y | Leonard | N | Rosenthal | Y | Wist | N |
| 27 | Everett | Y | Lontine | Y | Roupe | N | Young | Y |
| 28 | | | | | | | Speaker | Y |

29 Co-sponsor(s) added: Representative(s) Buckner, Melton, Mitsch Bush,
 30 Moreno, Pettersen, Primavera, Rosenthal, Salazar, Williams, Speaker
 31

32 **HB16-1442** by Representative(s) Ryden, Court, Thurlow, Vigil; also
 33 Senator(s) Ulibarri--Concerning technical modifications to
 34 laws enacted in 2014 governing the administration of
 35 nonpartisan elections conducted by a local government
 36 that are not coordinated by a county clerk and recorder.
 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**.
 42

| | YES | 65 | NO | 0 | EXCUSED | 0 | 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 | Y | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 50 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | Y |
| 51 | Conti | Y | Kagan | Y | Nordberg | Y | Van Winkle | Y |
| 52 | Coram | Y | Klingenschmitt | Y | Pabon | Y | Vigil | Y |
| 53 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | Y |
| 54 | Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y |
| 55 | DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y |
| 56 | Dore | Y | Lebsock | Y | Rankin | Y | Windholz | Y |

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

5 Co-sponsor(s) added: Representative(s) Lontine, Pabon, Speaker

6
 7 **SB16-041** by Senator(s) Baumgardner; also Representative(s) Pabon-
 8 -Concerning data collected by the division of criminal
 9 justice in the department of public safety concerning the
 10 study of marijuana implementation.

11
 12 The question being "Shall the bill pass?".
 13 A roll call vote was taken. As shown by the following recorded vote, a
 14 majority of those elected to the House voted in the affirmative and the bill
 15 was declared **passed**.

| 17 | YES | 48 | NO | 17 | EXCUSED | 0 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 18 | Arndt | Y | Fields | Y | Lundeen | N | Ryden | Y |
| 19 | Becker J. | N | Foote | Y | McCann | Y | Saine | Y |
| 20 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 21 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | N |
| 22 | Buck | N | Hamner | Y | Moreno | Y | Singer | Y |
| 23 | Buckner | Y | Humphrey | N | Navarro | Y | Thurlow | Y |
| 24 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | Y |
| 25 | Conti | Y | Kagan | Y | Nordberg | N | Van Winkle | N |
| 26 | Coram | N | Klingenschmitt | N | Pabon | Y | Vigil | Y |
| 27 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | N |
| 28 | Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y |
| 29 | DelGrosso | N | Lawrence | Y | Priola | Y | Wilson | Y |
| 30 | Dore | N | Lebsock | Y | Rankin | N | Windholz | Y |
| 31 | Duran | Y | Lee | Y | Ransom | N | Winter | Y |
| 32 | Esgar | Y | Leonard | N | Rosenthal | Y | Wist | N |
| 33 | Everett | N | Lontine | Y | Roupe | Y | Young | Y |
| 34 | | | | | | | Speaker | Y |

35 Co-sponsor(s) added: Representative(s) Lontine, Tyler, Speaker

36
 37
 38 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

39
 40 **APPROPRIATIONS**

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

43
 44 **HB16-1079** be amended as follows, and as so amended, be referred to
 45 the Committee of the Whole with favorable
 46 recommendation:

47
 48 Amend the Public Health Care and Human Services Committee Report,
 49 dated February 19, 2016, page 3, strike lines 9 through 13 and substitute
 50 "Page 4 of the bill, line 18, strike everything after "FEES" and substitute
 51 "MUST BE SET IN AN AMOUNT SUFFICIENT TO RECOVER THE DEPARTMENT'S
 52 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS PART
 53 2; AND".

54
 55 Page 4 of the bill, line 24, strike everything after "RECEIVED" and
 56 substitute "PURSUANT TO THIS PART 2 TO THE STATE TREASURER, WHO

1 SHALL CREDIT THE MONEY TO THE MARIJUANA CASH FUND CREATED IN
2 SECTION 12-43.3-501 (1) (a), C.R.S."

3

4 Page 4 of the bill, strike lines 25 through 27.

5

6 Page 5 of the bill, after line 19 insert:

7

8 **"SECTION 7.** In Colorado Revised Statutes, 35-11.5-113, **amend**
9 (1) as follows:

10 **35-11.5-113. Money credited to plant health, pest control, and**
11 **environmental protection cash fund.** (1) All fees and penalties
12 collected pursuant to this ~~article~~ PART 1 shall be transmitted to the state
13 treasurer, who shall credit ~~the same~~ THEM to the plant health, pest control,
14 and environmental protection cash fund created in section 35-1-106.3.
15 ~~Within sixty days after July 1, 2009, the unexpended and unencumbered~~
16 ~~balance of the organic certification fund, as that fund existed prior to July~~
17 ~~1, 2009, shall be transferred to the plant health, pest control, and~~
18 ~~environmental protection cash fund."~~

19

20 Renumber succeeding sections accordingly."

21

22 Page 3 of the report, strike line 15 and substitute:

23

24 **"SECTION 10.** In Colorado Revised Statutes, 12-43.3-501,
25 **amend** (1) (b) as follows:

26 **12-43.3-501. Marijuana cash fund.** (1) (b) ~~Moneys~~ MONEY in
27 the fund ~~are~~ IS subject to annual appropriation by the general assembly to:

28 (I) The department of revenue for the direct and indirect costs
29 associated with implementing this article, article 43.4 of this title, and
30 article 28.8 of title 39, C.R.S.; AND

31 (II) THE DEPARTMENT OF AGRICULTURE FOR THE DIRECT AND
32 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING PART 2 OF ARTICLE 11.5
33 OF TITLE 35. C.R.S.

34 **SECTION 11. Appropriation.** (1) For the 2016-17 state fiscal
35 year. \$65.640 is appropriated to the department of agriculture. This
36 appropriation is from the mariiujana cash fund created in section 12-43.3-
37 501 (1) (a). C.R.S. To implement this act, the department may use this
38 appropriation as follows:

39 (a) \$37.137 for the plant industrv division. which amount is based
40 on an assumption that the division will require an additional 0.5 FTE; and

41 (b) \$28.503 for the purchase of legal services.

42 (2) For the 2016-17 state fiscal year. \$28.503 is appropriated to
43 the department of law. This appropriation is from reappropriated funds
44 received from the department of agriculture under paragraph (b) of
45 subsection (1) of this section and is based on an assumption that the
46 department of law will require an additional 0.2 FTE. To implement this
47 act. the department of law mav use this appropriation to provide legal
48 services for the department of agriculture.

49 **SECTION 12. Severability.** Section 2-4-204, Colorado Revised".

50

51 Page 3 of the report, after line 17 insert:

52

53 "Page 1 of the bill, line 102, strike "PESTICIDE-FREE." and substitute
54 "PESTICIDE-FREE. AND, IN CONNECTION THEREWITH, MAKING AN
55 APPROPRIATION."."

56

1 **HB16-1167** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 6, after line 17 insert:
6

7 **"SECTION 2. Appropriation.** For the 2016-17 state fiscal year,
8 \$15,865 is appropriated to the department of labor and employment for
9 use by the division of labor. This appropriation is from the general fund
10 and is based on an assumption that the division will require an additional
11 0.3 FTE. To implement this act, the division may use this appropriation
12 for program costs."
13

14 Renumber succeeding section accordingly.
15

16 Page 1, line 105, strike "REQUIREMENTS." and substitute
17 "REQUIREMENTS, AND MAKING AN APPROPRIATION."
18
19
20

21 **HB16-1175** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:
24

25 Amend printed bill, page 13, after line 14 insert:
26

27 **"SECTION 7. Appropriation.** For the 2016-17 state fiscal year,
28 \$29,270 is appropriated to the department of local affairs for use by the
29 division of property taxation. This appropriation is from the general fund
30 and is based on an assumption that the division will require an additional
31 0.5 FTE. The division may use this appropriation to implement this act."
32

33 Renumber succeeding sections accordingly.
34

35 Page 1, line 103, strike "VETERANS." and substitute "VETERANS, AND, IN
36 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
37
38
39

40 **HB16-1274** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend printed bill, page 6, strike lines 2 through 9 and substitute:
45

46 **"SECTION 6. Appropriation.** (1) For the 2016-17 state fiscal
47 year, \$597,445 is appropriated to the department of revenue for use by the
48 division of motor vehicles. This appropriation is from the licensing
49 services cash fund created in section 42-2-114.5 (1), C.R.S. To implement
50 this act, the division may use this appropriation to issue identification
51 documents at an additional six existing offices, including to persons not
52 lawfully present under part 5 of article 2 of title 42, C.R.S., as follows:
53

54 (a) \$423,334 for personal services related to driver services,
55 which amount is based on an assumption that the division will require an
56 additional 10.0 FTE;

(b) \$105,306 for operating expenses related to driver services; and
(c) \$68,805 for drivers license documents."

1 **HB16-1288** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the Finance Committee Report, dated April 13, 2016, page 1,
6 strike line 9 and substitute "TRAINING OPPORTUNITIES FOR STUDENTS;"

7
8 Page 2 of the finance report, after line 13 insert:
9

10 "Page 5 of the bill, after line 20 insert:
11

12 "(5) ON SEPTEMBER 1, 2016, AND ON SEPTEMBER 1 OF THE
13 SUBSEQUENT TWO YEARS, THE STATE TREASURER SHALL TRANSFER THREE
14 HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE
15 INDUSTRY INFRASTRUCTURE FUND CREATED IN THIS SECTION."."

16
17 Page 2 of the finance report, strike lines 21 through 25 and substitute:
18

19 ""Page 6 of the bill, strike lines 26 and 27.
20

21 Page 7 of the bill, strike lines 1 through 5.
22

23 Renumber succeeding section accordingly."."
24
25
26

27 **HB16-1304** be referred to the Committee of the Whole with favorable
28 recommendation.
29
30

31 **HB16-1324** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:
34

35 Amend the Health, Insurance, and Environment Committee Report, dated
36 March 17, 2016, page 2, after line 33 insert:
37

38 ""**SECTION 5. Appropriation.** (1) For the 2016-17 state fiscal
39 year, \$10,701 is appropriated to the department of regulatory agencies.
40 This appropriation is from the division of professions and occupations
41 cash fund created in section 24-34-105 (2) (b) (I), C.R.S. To implement
42 this act, the department may use this appropriation as follows:
43

44 (a) \$1,200 for use by the division of professions and occupations
45 for operating expenses; and

46 (b) \$9,501 for the purchase of legal services.

47 (2) For the 2016-17 state fiscal year, \$9,501 is appropriated to the
48 department of law. This appropriation is from reappropriated funds
49 received from the department of regulatory agencies under paragraph (b)
50 of subsection (1) of this section. To implement this act, the department of
51 law may use this appropriation to provide legal services for the
52 department of regulatory agencies."."
53

54 Page 3 of the report, line 1, strike ""**SECTION 5.**"" and substitute
55 "**SECTION 6.**"."
56

1 Page 3 of the report, after line 3 insert:

2

3 "Page 1, line 103, strike "CONDITION." and substitute "CONDITION, AND,
4 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."".

5

6

7

8 **HB16-1332** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend printed bill, page 28, after line 2 insert:

13

14 **"SECTION 3. Appropriation.** (1) For the 2016-17 state fiscal
15 year, \$37,038 is appropriated to the department of revenue. This
16 appropriation is from the general fund. To implement this act, the
17 department may use this appropriation as follows:

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

HB16-1388 be referred to the Committee of the Whole with favorable
recommendation.

1 **HB16-1404** be amended as follows, and as so amended, be referred to
 2 the Committee of the Whole with favorable
 3 recommendation:
 4

5 Amend the Finance Committee Report, dated April 20, 2016, page 5,
 6 strike line 27 and substitute:
 7

8 **""SECTION 2. Appropriation.** (1) For the 2016-17 state fiscal
 9 year, \$77,546 is appropriated to the department of regulatory agencies.
 10 This appropriation is from the division of professions and occupations
 11 cash fund created in section 24-34-105 (2) (b) (I), C.R.S. To implement
 12 this act, the department may use this appropriation as follows:

13 (a) \$62,392 for use by the division of professions and occupations
 14 for personal services, which amount is based on an assumption that the
 15 division will require an additional 0.9 FTE and temporary staff;

16 (b) \$5,653 for use by the division professions and occupations for
 17 operating expenses; and

18 (c) \$9,501 for the purchase of legal services.

19 (2) For the 2016-17 state fiscal year, \$9,501 is appropriated to the
 20 department of law. This appropriation is from reappropriated funds
 21 received from the department of regulatory agencies under paragraph (c)
 22 of subsection (1) of this section. To implement this act, the department of
 23 law may use this appropriation to provide legal services for the
 24 department of regulatory agencies.

25 (3) For the 2016-17 state fiscal year, \$527 is appropriated to the
 26 department of public safety for use by the Colorado bureau of
 27 investigation. This appropriation is from the Colorado bureau of
 28 investigation identification unit fund created in section 24-33.5-426,
 29 C.R.S. To implement this act, the bureau may use this appropriation for
 30 operating expenses related to identification.

31 **SECTION 3. Act subject to petition - effective date -".**
 32

33 Page 6 of the report, after line 5 insert:
 34

35 "Page 1 of the bill, line 101, strike "CONTESTS." and substitute
 36 "CONTESTS, AND IN CONNECTION THEREWITH, MAKING AN
 37 APPROPRIATION."."
 38
 39
 40

41 **HB16-1434** be amended as follows, and as so amended, be referred to
 42 the Committee of the Whole with favorable
 43 recommendation:
 44

45 Amend printed bill, page 4, after line 11 insert:

46 **""SECTION 4. Appropriation.** For the 2016-17 state fiscal year,
 47 \$9,991 is appropriated to the department of state. This appropriation is
 48 from the department of state cash fund created in section 24-21-104 (3)
 49 (b), C.R.S. To implement this act, the department may use this
 50 appropriation for personal services related to information technology
 51 services."
 52

53 Renumber succeeding sections accordingly.
 54

55 Page 1, line 103, strike "PARTY." and substitute "PARTY, AND, IN
 56 CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

1 **SB16-030** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB16-062** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 4, strike lines 24 through 27.

10
11 Page 5, strike lines 1 and 2.

12
13 Renumber succeeding sections accordingly.

14
15 Page 1, line 102, strike "PHARMACEUTICALS, AND, IN CONNECTION
16 THEREWITH, MAKING" and substitute "PHARMACEUTICALS."

17
18 Page 1, strike line 103.
19
20

21
22 On motion of Representative Duran, **HB16-1386, 1388, 1434, 1274,**
23 **SB16-021, HB16-1322, 1436, SB16-134, HB16-1432, SB16-065,**
24 **HB16-1257, 1425, SB16-158, 172, 166, 171, HB16-1303, 1404, 1324,**
25 **SB16-062, 030, HB16-1332, 1304, 1288, 1175, 1167, 1079** were made
26 Special Orders on April 22, 2016, at 9:44 a.m.
27

28
29 The hour of 9:44 a.m., having arrived, on motion of Representative Court,
30 the House resolved itself into Committee of the Whole for consideration
31 of Special Orders and she was called to act as Chair.
32

33
34 **SPECIAL ORDERS--SECOND READING OF BILLS**
35

36 The Committee of the Whole having risen, the Chair reported the titles of
37 the following bills had been read (reading at length had been dispensed
38 with by unanimous consent), the bills considered and action taken thereon
39 as follows:
40

41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)
43

44 **HB16-1386** by Representative(s) Kraft-Tharp; also Senator(s)
45 Steadman--Concerning a program to cover vulnerable
46 populations' costs of acquiring necessary documents.
47

48 Amendment No. 1, Finance Report, dated April 8, 2016, and placed in
49 member's bill file; Report also printed in House Journal, April 11, 2016
50

51 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
52 placed in member's bill file; Report also printed in House Journal, April
53 22, 2016.
54

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

1 **HB16-1388** by Representative(s) McCann, Court, Duran, Foote,
2 Kagan, Lebsock, Lee, Melton, Moreno, Salazar, Tyler--
3 Concerning the timing of inquiring into a job applicant's
4 criminal history.

5
6 Amendment No. 1, by Representative(s) Williams.

7
8 Amend printed bill, page 2, line 10 strike "AN APPLICATION" and
9 substitute "ANY FORM OF APPLICATION, INCLUDING ELECTRONIC
10 APPLICATIONS,".

11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14
15 A motion by Representative Duran that the Committee rise, report
16 progress and beg leave to sit again after Consideration of SJR16-037, was
17 adopted by unanimous consent. (Special Orders continued on page 989.)

18
19
20 _____
21 House reconvened.

22 The Committee of the Whole reported it had risen, reported progress and
23 would sit again after consideration of SJR16-037.

24
25
26 _____
27 **MESSAGE FROM THE SENATE**

28
29 The Senate has adopted and transmits herewith: SJR16-037.

30
31 _____
32 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

33
34 On motion of Representative Duran, the rules were suspended and the
35 following resolution was given immediate consideration.

36
37 **SJR16-037** by Senator(s) Carroll and Baumgardner; also
38 Representative(s) Moreno--Concerning the "Colorado Day
39 of Remembrance of the Armenian Genocide" on April 24,
40 2016.

41
42 (Printed and placed in members' files).

43
44 On motion of Representative Moreno, the resolution was read at length
45 and **adopted** by **viva voce** vote.

46
47 Current Roll Call added as co-sponsor(s): Co-sponsor(s) added:
48 Representative(s) Arndt, Becker J., Becker K., Brown, Buck, Buckner, Carver,
49 Conti, Coram, Court, Danielson, DelGrosso, Dore, Duran, Esgar, Everett,
50 Fields, Foote, Garnett, Ginal, Hamner, Humphrey, Joshi, Kagan,
51 Klingenschmitt, Kraft-Tharp, Landgraf, Lawrence, Lebsock, Lee, Leonard,
52 Lontine, Lundeen, McCann, Melton, Mitsch Bush, Navarro, Neville P.,
53 Nordberg, Pabon, Pettersen, Primavera, Priola, Rankin, Ransom, Rosenthal,
54 Roupe, Ryden, Saine, Salazar, Sias, Singer, Thurlow, Tyler, Van Winkle, Vigil,
55 Willett, Williams, Wilson, Windholz, Winter, Wist, Young.

56

1 House in recess. House reconvened.
2
3

4 On motion of Representative Court, the House resolved itself into
5 Committee of the Whole for continuation of consideration of Special
6 Orders, and he returned to the Chair to act as Chairman.
7

8
9 **SPECIAL ORDERS--SECOND READING OF BILLS**

10 (Continued from page 988)
11

12 **HB16-1434** by Representative(s) Becker K. and Kagan--Concerning
13 disclosure under the "Fair Campaign Practices Act" of
14 political communication that refers to a political party.
15

16 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
17 April 12, 2016, and placed in member's bill file; Report also printed in
18 House Journal, April 13, 2016
19

20 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
21 placed in member's bill file; Report also printed in House Journal, April
22 22, 2016.
23

24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **HB16-1274** by Representative(s) Singer, Becker K., Esgar, Fields,
28 Garnett, Lontine, Melton, Mitsch Bush, Primavera,
29 Ryden, Salazar, Tyler, Vigil; also Senator(s) Ulibarri,
30 Aguilar, Guzman, Heath, Hodge, Jones, Merrifield,
31 Steadman--Concerning the issuance of identification
32 documents to individuals who cannot demonstrate lawful
33 presence in the United States, and, in connection
34 therewith, making an appropriation.
35

36 Amendment No. 1, Appropriations Report, dated April 22, 2016, and
37 placed in member's bill file; Report also printed in House Journal, April
38 22, 2016
39

40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42

43 **SB16-021** by Senator(s) Donovan, Aguilar, Guzman, Heath, Hodge,
44 Johnston, Jones, Kefalas, Kerr, Merrifield, Newell,
45 Steadman, Todd; also Representative(s) Mitsch Bush and
46 Becker K.--Concerning recognition of the third Saturday
47 in May as a state holiday, and, in connection therewith,
48 designating the third Saturday in May as "Public Lands
49 Day".
50

51 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
52 April 18, 2016, and placed in member's bill file; Report also printed in
53 House Journal, April 19, 2016
54

1 Amendment No. 2, by Representative(s) Lundeen.

2

3 Amend the State, Veterans, & Military Affairs committee report, dated
4 April 18, 2016, page 1, strike line 1 and substitute:

5 "Amend reengrossed bill, page 3, line 5, strike "full partnership" and
6 substitute "partnership, which acknowledges the unique capacity of local
7 law enforcement to positively influence matters of public safety,"."

8

9 Amendment No. 3, by Representative(s) Rankin.

10

11 Amend proposed State, Veterans, & Military Affairs committee report,
12 dated April 18, 2016, page 1, line 8, strike "resources." and substitute
13 "resources; and

14 (l) Local citizens and state agencies should be consulted and
15 relied upon to lead efforts to protect endangered species."

16

17 As amended, ordered revised and placed on the Calendar for Third
18 Reading and Final Passage.

19

20 **HB16-1322** by Representative(s) Pettersen and Coram; also Senator(s)
21 Donovan--Concerning a requirement that health benefit
22 plans required to cover contraception reimburse
23 dispensers for dispensing a multiple-months' supply of
24 prescription contraceptives.

25

26 Amendment No. 1, Public Health Care & Human Services Report, dated
27 April 15, 2016, and placed in member's bill file; Report also printed in
28 House Journal, April 18, 2016

29

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

32

33 **SB16-134** by Senator(s) Heath and Garcia, Aguilar, Carroll,
34 Donovan, Guzman, Hodge, Johnston, Jones, Kefalas,
35 Kerr, Merrifield, Newell, Steadman, Ulibarri; also
36 Representative(s) Danielson and Kagan--Concerning
37 professional licensing for military veterans in certain
38 professions.

39

40 Ordered revised and placed on the Calendar for Third Reading and Final
41 Passage.

42

43 **HB16-1425** by Representative(s) Hamner; also Senator(s) Roberts--
44 Concerning the requirement for a licensed child care
45 center to obtain records for a child enrolled in the center
46 on a short-term basis.

47

48 Amendment No. 1, Public Health Care & Human Services Report, dated
49 April 19, 2016, and placed in member's bill file; Report also printed in
50 House Journal, April 20, 2016

51

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

54

55 **HB16-1432** by Representative(s) Winter--Concerning the rights of
56 employees to inspect their personnel files.

- 1 Amendment No. 1, Judiciary Report, dated April 19, 2016, and placed in
2 member's bill file; Report also printed in House Journal, April 20, 2016
3
- 4 Amendment No. 2, by Representative(s) Winter.
5
- 6 Amend printed bill, page 3, line 15, strike "SECTION, WHERE BOTH" and
7 substitute "SECTION."
8
- 9 Page 3, strike line 16.
10
- 11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.
13
- 14 **HB16-1436** by Representative(s) Pabon and Ginal, Dore, Lundeen,
15 Becker K., Brown, Conti, Landgraf, Lontine, Navarro,
16 Primavera, Rankin, Thurlow, Windholz; also Senator(s)
17 Newell and Baumgardner--Concerning a prohibition on
18 edible marijuana products that are shaped in a manner to
19 entice a child.
20
- 21 Amendment No. 1, Business Affairs and Labor Report, dated April 19,
22 2016, and placed in member's bill file; Report also printed in House
23 Journal, April 20, 2016
24
- 25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27
- 28 **SB16-065** by Senator(s) Steadman, Aguilar, Jahn, Merrifield,
29 Ulibarri; also Representative(s) Lee--Concerning criminal
30 restitution.
31
- 32 Amendment No. 1, Judiciary Report, dated April 19, 2016, and placed in
33 member's bill file; Report also printed in House Journal, April 20, 2016
34
- 35 As amended, ordered revised and placed on the Calendar for Third
36 Reading and Final Passage.
37
- 38 **HB16-1332** by Representative(s) Duran and Rankin; also Senator(s)
39 Scott and Johnston--Concerning modifications to the
40 income tax credits for alternative fuel motor vehicles, and,
41 in connection therewith, fixing specified dollar amounts
42 for the credits, allowing the credit to be assigned to a
43 financing entity, and requiring vehicle identification
44 number tracking of the motor vehicle for which a credit is
45 claimed.
46
- 47 Amendment No. 1, Finance Report, dated April 14, 2016, and placed in
48 member's bill file; Report also printed in House Journal, April 15, 2016
49
- 50 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
51 placed in member's bill file; Report also printed in House Journal, April
52 22, 2016.
53
- 54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.
56

1 **HB16-1257** by Representative(s) McCann, Foote, Kagan; also
2 Senator(s) Scheffel, Johnston, Steadman--Concerning
3 implementation of recommendations of the committee on
4 legal services in connection with legislative review of
5 rules and regulations of state agencies.
6

7 Amendment No. 1, by Representative(s) McCann.
8

9 Amend printed bill, page 4, strike lines 21 through 25 and substitute:
10

11 "rule is not extended: The following rule of the division of real estate,
12 concerning".
13

14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.
16

17
18 **HB16-1288** by Representative(s) Kraft-Tharp and Wist; also
19 Senator(s) Tate and Merrifield--Concerning the creation
20 of an industry infrastructure grant program within the state
21 work force development council, and, in connection
22 therewith, creating the industry infrastructure fund and
23 making an appropriation.
24

25 Amendment No. 1, Business Affairs and Labor Report, dated March 16,
26 2016, and placed in member's bill file; Report also printed in House
27 Journal, March 17, 2016
28

29 Amendment No. 2, Finance Report, dated April 14, 2016, and placed in
30 member's bill file; Report also printed in House Journal, April 15, 2016.
31

32 Amendment No. 3, Appropriations Report, dated April 22, 2016, and
33 placed in member's bill file; Report also printed in House Journal, April
34 22, 2016.
35

36 Amendment No. 4, by Representative(s) Wilson.
37

38 Amend the Finance Committee Report, dated April 13, 2016, page 2,
39 strike line 18 and substitute "PRIVATE FUNDING;
40

41 (e) THE NUMBER OF APPRENTICES IN EACH INDUSTRY THAT
42 UTILIZED THE INDUSTRY-DEFINED COMPETENCIES CREATED IN SECTION
43 24-46.3-402; AND".
44

45 Page 2 of the report, line 19, strike "(e)" and substitute "(f)".
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **SB16-158** by Senator(s) Lundberg; also Representative(s)
51 Primavera--Concerning the ability of a physician assistant
52 to perform functions delegated by a physician that are
53 within the physician assistant's scope of practice.
54

- 1 Amendment No. 1, Public Health Care & Human Services Report, dated
2 April 19, 2016, and placed in member's bill file; Report also printed in
3 House Journal, April 20, 2016
4
- 5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **SB16-172** by Senator(s) Woods, Baumgardner, Cooke, Lundberg,
9 Marble, Tate, Jahn, Johnston; also Representative(s) Tyler
10 and Buck, Neville P.--Concerning the election by a person
11 to receive electronic notification of certain information
12 from a county relating to a pending property tax dispute.
13
- 14 Ordered revised and placed on the Calendar for Third Reading and Final
15 Passage.
16
- 17 **SB16-166** by Senator(s) Woods; also Representative(s) Kagan--
18 Concerning the creation of transportation fuel distributors'
19 tax liens.
20
- 21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23
- 24 **SB16-171** by Senator(s) Martinez Humenik and Scheffel, Jones; also
25 Representative(s) Tyler and Becker J.--Concerning
26 modification and clarification of the statutes pertaining to
27 the new energy improvement district.
28
- 29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31
- 32 **HB16-1303** by Representative(s) Landgraf--Concerning prohibiting a
33 regional transportation authority from levying sales tax on
34 vacant land annexed by a nonmember jurisdiction.
35
- 36 Referred to the Committee on Judiciary.
37
- 38 **HB16-1324** by Representative(s) Ginal, McCann, Arndt, Becker K.,
39 Brown, Coram, Dore, Lebsock, Vigil, Court, Primavera;
40 also Senator(s) Sonnenberg, Garcia--Concerning the
41 availability of compounded pharmaceutical drugs for use
42 by a veterinarian to treat a patient's emergency condition.
43
- 44 Amendment No. 1, Health, Insurance, & Environment Report, dated
45 March 18, 2016, and placed in member's bill file; Report also printed in
46 House Journal, March 21, 2016
47
- 48 Amendment No. 2, Finance Report, dated April 21, 2016, and placed in
49 member's bill file; Report also printed in House Journal, April 22, 2016.
50
- 51 Amendment No. 3, Appropriations Report, dated April 22, 2016, and
52 placed in member's bill file; Report also printed in House Journal, April
53 22, 2016.
54
- 55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

- 1 **HB16-1404** by Representative(s) Duran and Wist; also Senator(s)
2 Cooke and Guzman--Concerning the regulation of fantasy
3 contests.
4
- 5 Amendment No. 1, Finance Report, dated April 21, 2016, and placed in
6 member's bill file; Report also printed in House Journal, April 22, 2016
7
- 8 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
9 placed in member's bill file; Report also printed in House Journal, April
10 22, 2016.
11
- 12 Amendment No. 3, by Representative(s) Wist and Duran.
13
- 14 Amend the Finance Committee Report, dated April 20, 2016, page 2, line
15 6, strike "ENTITY" and substitute "INDIVIDUAL".
16
- 17 Page 2, line 28 after "AUTHORITIES." insert "THE FEES MUST BE
18 SUFFICIENT TO COVER THE DIVISION'S DIRECT AND INDIRECT COSTS IN
19 ADMINISTERING THIS ARTICLE."
20
- 21 Page 5, after line 3 insert "Page 9 of the bill, strike line 27."
22
- 23 Page 10 of the bill, strike lines 1 and 2 and substitute "DENY, SUSPEND,
24 OR REVOKE A LICENSE OR REGISTRATION OR PLACE ON PROBATION OR
25 ISSUE A LETTER OF ADMONITION TO A LICENSEE OR REGISTRANT IF THE
26 FANTASY CONTEST OPERATOR, INCLUDING A SMALL FANTASY CONTEST
27 OPERATOR:". "
28
- 29 Page 5 of the report, line 4, after ""LICENSURE" insert "OR
30 REGISTRATION".
31
- 32 Page 5 of the report, line 9, after "A" insert "REGISTRATION OR".
33
- 34 Page 5 of the report, line 13, strike "UNLICENSED" and substitute
35 "UNAUTHORIZED".
36
- 37 As amended, ordered engrossed and placed on the Calendar for Third
38 Reading and Final Passage.
39
40
- 41 **SB16-062** by Senator(s) Marble, Grantham, Neville T., Lambert,
42 Woods, Holbert, Lundberg, Scheffel, Cooke, Crowder,
43 Hill, Martinez Humenik, Sonnenberg, Tate; also
44 Representative(s) Becker J. and Vigil, Saine, Brown,
45 Everett, Willett, Ransom, Wist, Sias, Nordberg, Joshi,
46 Lundeen, Klingenschmitt, Buck, Navarro, Neville P.,
47 Humphrey--Concerning modifications to the regulation of
48 veterinary pharmaceuticals, and, in connection therewith,
49 making an appropriation.
50
- 51 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
52 April 19, 2016, and placed in member's bill file; Report also printed in
53 House Journal, April 20, 2016
54

1 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
2 placed in member's bill file; Report also printed in House Journal, April
3 22, 2016.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB16-030** by Senator(s) Hodge; also Representative(s) Tyler--
9 Concerning the surcharges for violating motor vehicle
10 weight limits, and, in connection therewith, making an
11 appropriation.

12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.

15
16 **HB16-1304** by Representative(s) Tyler, Coram, Becker J., Mitsch
17 Bush, Ryden; also Senator(s) Heath--Concerning
18 community conversations on transportation priorities and
19 preferred funding options.

20
21 Amendment No. 1, Transportation & Energy Report, dated April 14,
22 2016, and placed in member's bill file; Report also printed in House
23 Journal, April 15, 2016

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **HB16-1175** by Representative(s) Primavera and Nordberg, Ryden,
29 Saine; also Senator(s) Jahn and Neville T., Cooke, Heath--
30 Concerning the administration of the property tax
31 exemptions for qualifying seniors and disabled veterans.

32
33 Amendment No. 1, Appropriations Report, dated April 22, 2016, and
34 placed in member's bill file; Report also printed in House Journal, April
35 22, 2016

36
37 Amendment No. 2, by Representative(s) Nordberg and Primavera.

38
39 Amend printed bill, page 9, line 12, after "DENIAL." add "NO LATER THAN
40 JANUARY 10, 2017, AND NO LATER THAN EACH JANUARY 10 THEREAFTER,
41 EACH ASSESSOR SHALL FORWARD TO THE ADMINISTRATOR A PARTIAL
42 COPY OF THE TAX WARRANT FOR THE ASSESSOR'S COUNTY THAT INCLUDES
43 ONLY PROPERTY FOR WHICH THE ASSESSOR HAS GRANTED AN EXEMPTION.
44 THE ADMINISTRATOR SHALL EXAMINE THE TAX WARRANTS TO ENSURE
45 THAT NO ADDITIONAL EXEMPTIONS HAVE BEEN ALLOWED SINCE THE
46 ADMINISTRATOR EXAMINED THE REPORTS PREVIOUSLY RECEIVED FROM
47 THE ASSESSORS AND THAT EACH ASSESSOR HAS REMOVED FROM THE TAX
48 WARRANT ALL EXEMPTIONS THAT THE ADMINISTRATOR PREVIOUSLY
49 DENIED. NO LATER THAN JANUARY 17, 2017, AND NO LATER THAN EACH
50 JANUARY 17 THEREAFTER, THE ADMINISTRATOR SHALL NOTIFY EACH
51 ASSESSOR AND EACH TREASURER OF ANY EXEMPTIONS TO BE REMOVED
52 FROM THE TAX WARRANT.".

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB16-1167** by Representative(s) Winter and Pettersen, Becker K.,
 2 Danielson, Esgar, Fields, Garnett, Ginal, Hamner, Kagan,
 3 Lebsock, Melton, Pabon, Primavera, Tyler; also
 4 Senator(s) Todd and Donovan--Concerning the creation
 5 of the "Colorado Family First Employer Act", and, in
 6 connection therewith, establishing a program that
 7 recognizes Colorado employers that meet certain family-
 8 friendly requirements.
 9

10 Amendment No. 1, Business Affairs and Labor Report, dated April 13,
 11 2016, and placed in member's bill file; Report also printed in House
 12 Journal, April 14, 2016
 13

14 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
 15 placed in member's bill file; Report also printed in House Journal, April
 16 22, 2016.
 17

18 As amended, ordered engrossed and placed on the Calendar for Third
 19 Reading and Final Passage.
 20

21 **HB16-1079** by Representative(s) Becker K. and Singer; also
 22 Senator(s) Steadman--Concerning a certification program
 23 for cannabis that is pesticide-free.
 24

25 Amendment No. 1, Public Health Care & Human Services Report, dated
 26 February 22, 2016, and placed in member's bill file; Report also printed
 27 in House Journal, February 23, 2016
 28

29 Amendment No. 2, Appropriations Report, dated April 22, 2016, and
 30 placed in member's bill file; Report also printed in House Journal, April
 31 22, 2016.
 32

33 As amended, ordered engrossed and placed on the Calendar for Third
 34 Reading and Final Passage.
 35

37 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
 38

39 Representative Neville P. moved to amend the Report of the Committee
 40 of the Whole to reverse the action taken by the Committee in not adopting
 41 the following Neville P. amendment, to HB 16-1434, to show that said
 42 amendment passed, and that HB 16-1434, as amended, passed.
 43

44 Amend printed bill, page 3, line 4, strike "INCLUDE:" and substitute
 45 "INCLUDE SOCIAL MEDIA."
 46

47 Strike lines 5 through 17.
 48

49 The amendment was declared **lost** by the following roll call vote:
 50

| 51 | YES | 30 | NO | 33 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|---------|----|-------------|---|---------|---|
| 52 | Arndt | N | Fields | N | Lundeen | Y | Ryden | N |
| 53 | Becker J. | Y | Foote | N | McCann | N | Saine | Y |
| 54 | Becker K. | N | Garnett | N | Melton | N | Salazar | N |
| 55 | Brown | Y | Ginal | N | Mitsch Bush | N | Sias | Y |
| 56 | Buck | Y | Hamner | N | Moreno | N | Singer | N |

| | | | | | | | | |
|----|-----------|---|----------------|---|------------|---|------------|---|
| 1 | Buckner | N | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 2 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | N |
| 3 | Conti | Y | Kagan | E | Nordberg | Y | Van Winkle | Y |
| 4 | Coram | Y | Klingenschmitt | Y | Pabon | N | Vigil | N |
| 5 | Court | N | Kraft-Tharp | N | Pettersen | N | Willett | Y |
| 6 | Danielson | N | Landgraf | Y | Primavera | N | Williams | N |
| 7 | DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y |
| 8 | Dore | E | Lebsock | N | Rankin | Y | Windholz | Y |
| 9 | Duran | N | Lee | N | Ransom | Y | Winter | N |
| 10 | Esgar | N | Leonard | Y | Rosenthal | N | Wist | Y |
| 11 | Everett | Y | Lontine | N | Roupe | Y | Young | N |
| 12 | | | | | | | Speaker | N |

13
14

15 Representative Neville P. moved to amend the Report of the Committee
16 of the Whole to reverse the action taken by the Committee in adopting the
17 Public Health Care and Human Services Committee Report to
18 HB 16-1425, dated April 19, 2016, to show that said report, lost, and that
19 HB 16-1425, as amended, passed.

20

21 The amendment was declared **lost** by the following roll call vote:

22

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

41
42

43 Representative Brown moved to amend the Report of the Committee of
44 the Whole to reverse the action taken by the Committee in not adopting
45 the following Brown amendment, to SB 16-021, to show that said
46 amendment passed, and that SB 16-021, as amended, passed.

47

48 Amend State, Veterans, and Military Affairs Report dated April 18, 2016,
49 page 1, strike line 4.

50

51 The amendment was declared **lost** by the following roll call vote:

52

| | YES | 29 | NO | 34 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|---------|----|---------|---|---------|---|
| 54 | Arndt | N | Fields | N | Lundeen | Y | Ryden | N |
| 55 | Becker J. | Y | Foote | N | McCann | N | Saine | Y |
| 56 | Becker K. | N | Garnett | N | Melton | N | Salazar | N |

| | | | | | | | | |
|----|-----------|---|----------------|---|-------------|---|------------|---|
| 1 | Brown | Y | Ginal | N | Mitsch Bush | N | Sias | Y |
| 2 | Buck | Y | Hamner | N | Moreno | N | Singer | N |
| 3 | Buckner | N | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 4 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | N |
| 5 | Conti | Y | Kagan | E | Nordberg | Y | Van Winkle | Y |
| 6 | Coram | Y | Klingenschmitt | Y | Pabon | N | Vigil | N |
| 7 | Court | N | Kraft-Tharp | N | Pettersen | N | Willett | Y |
| 8 | Danielson | N | Landgraf | Y | Primavera | N | Williams | N |
| 9 | DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y |
| 10 | Dore | E | Lebsock | N | Rankin | N | Windholz | Y |
| 11 | Duran | N | Lee | N | Ransom | Y | Winter | N |
| 12 | Esgar | N | Leonard | Y | Rosenthal | N | Wist | Y |
| 13 | Everett | Y | Lontine | N | Roupe | Y | Young | N |
| 14 | | | | | | | Speaker | N |

15
16
17 Representative Lawrence moved to amend the Report of the Committee
18 of the Whole to reverse the action taken by the Committee in not adopting
19 the following Lawrence amendment, to HB 16-1388, to show that said
20 amendment passed, and that HB 16-1388, as amended, passed.

21
22 Amend printed bill, page 5, line 8, strike "(I)".

23
24 Page 5, strike lines 13 through 15.

25
26 The amendment was declared **lost** by the following roll call vote:

| 27 | YES | 31 | NO | 32 | EXCUSED | 2 | ABSENT | 0 |
|----|-----------|----|----------------|----|-------------|---|------------|---|
| 29 | Arndt | N | Fields | N | Lundeen | Y | Ryden | N |
| 30 | Becker J. | Y | Foote | N | McCann | N | Saine | Y |
| 31 | Becker K. | N | Garnett | N | Melton | N | Salazar | N |
| 32 | Brown | Y | Ginal | N | Mitsch Bush | N | Sias | Y |
| 33 | Buck | Y | Hamner | N | Moreno | N | Singer | N |
| 34 | Buckner | N | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 35 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | N |
| 36 | Conti | Y | Kagan | E | Nordberg | Y | Van Winkle | Y |
| 37 | Coram | Y | Klingenschmitt | Y | Pabon | N | Vigil | N |
| 38 | Court | N | Kraft-Tharp | N | Pettersen | Y | Willett | Y |
| 39 | Danielson | N | Landgraf | Y | Primavera | N | Williams | N |
| 40 | DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y |
| 41 | Dore | E | Lebsock | N | Rankin | Y | Windholz | Y |
| 42 | Duran | N | Lee | N | Ransom | Y | Winter | N |
| 43 | Esgar | N | Leonard | Y | Rosenthal | N | Wist | Y |
| 44 | Everett | Y | Lontine | N | Roupe | Y | Young | N |
| 45 | | | | | | | Speaker | N |

46 47 48 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

49
50 Passed Second Reading: **HB16-1386 amended, 1388 amended, 1434**
51 **amended, 1274 amended, SB16-021 amended, HB16-1322 amended,**
52 **SB16-134, HB16-1425 amended, 1432 amended, 1436 amended,**
53 **SB16-065 amended, HB16-1332 amended, 1257 amended, 1288**
54 **amended, SB16-158 amended, 172, 166, 171, HB16-1324 amended,**
55 **1404 amended, SB16-062 amended, 030, HB16-1304 amended, 1175**
56 **amended, 1167 amended, 1079 amended.**

1 Referred to Committee indicated: **HB16-1303**--Judiciary.

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

| | YES | 61 | NO | 2 | EXCUSED | 2 | ABSENT | 0 |
|--------------|-----|----------------|----|-------------|---------|------------|--------|---|
| 9 Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y | |
| 10 Becker J. | Y | Foote | Y | McCann | Y | Saine | Y | |
| 11 Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y | |
| 12 Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y | |
| 13 Buck | Y | Hamner | Y | Moreno | Y | Singer | Y | |
| 14 Buckner | Y | Humphrey | N | Navarro | Y | Thurlow | Y | |
| 15 Carver | Y | Joshi | Y | Neville P. | Y | Tyler | Y | |
| 16 Conti | Y | Kagan | E | Nordberg | Y | Van Winkle | Y | |
| 17 Coram | Y | Klingenschmitt | Y | Pabon | Y | Vigil | Y | |
| 18 Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | Y | |
| 19 Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y | |
| 20 DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y | |
| 21 Dore | E | Lebsock | Y | Rankin | Y | Windholz | Y | |
| 22 Duran | Y | Lee | Y | Ransom | Y | Winter | Y | |
| 23 Esgar | Y | Leonard | Y | Rosenthal | Y | Wist | Y | |
| 24 Everett | N | Lontine | Y | Roupe | Y | Young | Y | |
| | | | | | | Speaker | Y | |

25
26
27
28
29
30 **CONSIDERATION OF RESOLUTION(S)**

31
32 **HJR16-1022** by Representative(s) Hullinghorst and DelGrosso, Duran;
33 also Senator(s) Cadman and Guzman, Scheffel--
34 Establishing procedures for the confirmation of the
35 Governor's appointment to fill a vacancy in the Office of
36 the Lieutenant Governor.

37
38 (Printed and placed in members' file)

39
40 On motion of Representative Hullinghorst, the resolution was **adopted** by
41 the following roll call vote:

| | 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 | Y | Humphrey | Y | Navarro | Y | Thurlow | Y | |
| 50 Carver | Y | Joshi | Y | Neville P. | Y | Tyler | Y | |
| 51 Conti | Y | Kagan | E | Nordberg | Y | Van Winkle | Y | |
| 52 Coram | Y | Klingenschmitt | Y | Pabon | Y | Vigil | Y | |
| 53 Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | Y | |
| 54 Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y | |
| 55 DelGrosso | Y | Lawrence | Y | Priola | Y | Wilson | Y | |
| 56 Dore | E | Lebsock | Y | Rankin | Y | Windholz | Y | |

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

5 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Brown, Conti, Court,
6 Danielson, Esgar, Fields, Foote, Ginal, Hamner, Lebsock, Lontine, Melton,
7 Mitsch Bush, Moreno, Pabon, Pettersen, Priola, Rosenthal, Singer, Tyler, Vigil,
8 Wilson, Windholz, Winter, Young

10
11 **CONSIDERATION OF APPOINTMENT**

12
13 The Speaker announced that pursuant to HJR16-1022, Section (1) the
14 consideration of Governor Hickenlooper's appointment to the office of
15 Lt. Governor, occasioned by the Resignation of Lt. Governor Joe Garcia,
16 is referred to the Committee on State, Veterans & Military Affiars.

17
18
19 **LAY OVER OF CALENDAR ITEM(S)**

20
21 On motion of Representative Duran, the following item(s) on the
22 Calendar were laid over until April 25, retaining place on Calendar:

- 23
24 Consideration of General Orders--**HB16-1394, 1426.**
25 Consideration of Resolution(s)--**HJR16-1023.**
26 Consideration of Senate Amendment(s)--**HB16-1336.**

27
28
29 House in recess. House reconvened.

30
31
32 **REPORT FROM THE SENATE AND HOUSE**
33 **COMMITTEES ON DELAYED BILLS**

34
35 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
36 Delayed Bills, acting jointly, extend the following deadline for
37 HB16-1422, Concerning the Financing of Public Schools:

38
39 The Friday, April 22 deadline (the 101st legislative day) for final passage,
40 including any conference committee report, for any bill prescribing all or
41 a substantial portion of the total funding for public schools pursuant to the
42 "Public School Finance Act of 1994", article 54 of title 22, Colorado
43 Revised Statutes, is extended until Wednesday, May 11, 2016 (the 120th
44 legislative day).

45
46 This memorandum shall be printed in the journal of each house as is
47 required by said Joint Rule 23(c).

48
49 (signed) (signed)
50 Bill Cadman Dickey Lee Hullinghorst
51 President of Senate Speaker of the House
52 Mark Scheffel Crisanta Duran
53 Senate Majority Leader House Majority Leader
54 Lucia Guzman Brian DelGrosso
55 Senate Minority Leader House Minority Leader

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **FINANCE**

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

6
7 **HB16-1342** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend the Transportation and Energy Committee Report, dated April 14,
12 2016, page 2, strike lines 13 through 18 and substitute "NOT APPLY TO A
13 LICENSED MOTOR VEHICLE DEALER OR LICENSED USED MOTOR VEHICLE
14 DEALER; EXCEPT THAT THIS SECTION DOES APPLY TO A PERSON WHO
15 HOLDS A USED MOTOR VEHICLE DEALER LICENSE AND IS OPERATING A
16 MOTOR VEHICLE SALVAGE OR AUCTION BUSINESS. THIS SECTION DOES NOT
17 APPLY TO A BUSINESS THAT".

18
19 Page 3 of the committee report, lines 4 and 5, strike "PARAGRAPHS (b)
20 AND (c) OF THIS SUBSECTION (1)." and substitute "PARAGRAPH (b) OF THIS
21 SUBSECTION (2)".

22
23 Page 3 of the committee report, strike lines 17 through 21.

24
25 Page 3 of the committee report, lines 22 and 23, strike "EXCEPT AS
26 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (5), A" and substitute
27 "A".

28
29
30
31 **HB16-1376** be referred favorably to the Committee on Appropriations.

32
33
34 **HB16-1378** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend printed bill, strike lines 2 through 15 and substitute:

39
40 "SECTION 1. In Colorado Revised Statutes, 18-1.3-701, **amend**
41 (2) (j); and **add** (2) (j.5) as follows:

42 **18-1.3-701. Judgment for costs and fines.** (2) The costs
43 assessed pursuant to subsection (1) of this section or section 16-18-101,
44 C.R.S., may include:

45 (j) On proper motion of the prosecuting attorney and at the
46 discretion of the court, any other reasonable and necessary costs incurred
47 by the prosecuting attorney or ~~law enforcement agency~~ COLORADO STATE
48 PATROL that are directly the result of the prosecution of the defendant,
49 including the costs resulting from the collection and analysis of any
50 chemical test upon the defendant pursuant to section 42-4-1301.1, C.R.S.,
51 which costs shall be reimbursed by the defendant directly to the ~~law~~
52 ~~enforcement agency that performed such chemical tests~~ COLORADO STATE
53 PATROL.

54 (j.5) ON PROPER MOTION OF THE PROSECUTING ATTORNEY AND AT
55 THE DISCRETION OF THE COURT, ANY OTHER REASONABLE AND NECESSARY
56 COSTS INCURRED BY THE PROSECUTING ATTORNEY OR LAW ENFORCEMENT

1 AGENCY OTHER THAN THE COLORADO STATE PATROL THAT ARE DIRECTLY
 2 THE RESULT OF THE PROSECUTION OF THE DEFENDANT, INCLUDING THE
 3 COSTS RESULTING FROM THE COLLECTION AND ANALYSIS OF ANY
 4 CHEMICAL TEST UPON THE DEFENDANT PURSUANT TO SECTION
 5 42-4-1301.1, C.R.S., WHICH COSTS, IF THEY ARE INCLUDED BY THE
 6 COURT, THE COURT SHALL ASSESS AGAINST THE DEFENDANT, COLLECT
 7 FROM THE DEFENDANT, AND TRANSFER TO THE LAW ENFORCEMENT
 8 AGENCY THAT PERFORMED THE CHEMICAL TESTS."

9

10

11

12

13 HEALTH, INSURANCE & ENVIRONMENT

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

16

17 **HB16-1218** be postponed indefinitely.

18

19

20

21

22 JUDICIARY

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

25

26 **HB16-1328** be amended as follows, and as so amended, be referred to
 27 the Committee on Appropriations with favorable
 28 recommendation:

29

30 Amend printed bill, strike everything below the enacting clause and
 31 substitute:

32 "SECTION 1. In Colorado Revised Statutes, **amend** 26-20-101
 33 as follows:

34 **26-20-101. Short title.** ~~This~~ THE SHORT TITLE OF THIS article ~~shall~~
 35 ~~be known and may be cited as~~ IS the "Protection of ~~Persons~~ INDIVIDUALS
 36 from Restraint AND SECLUSION Act".

37 **SECTION 2.** In Colorado Revised Statutes, 26-20-102, **amend**
 38 (6) introductory portion, (6) (c), (6) (d), and (7); **repeal** (6) (e); and **add**
 39 (2.5), (3.5), (5.7), (8), and (9) as follows:

40 **26-20-102. Definitions.** As used in this article, unless the context
 41 otherwise requires:

42 (2.5) "DIVISION OF YOUTH CORRECTIONS" MEANS THE DIVISION OF
 43 YOUTH CORRECTIONS WITHIN THE STATE DEPARTMENT CREATED
 44 PURSUANT TO SECTION 19-2-203, C.R.S.

45 (3.5) "INDIVIDUAL" ENCOMPASSES BOTH ADULTS AND YOUTHS,
 46 UNLESS THE CONTEXT SPECIFICALLY STATES ONE OR THE OTHER.

47 (5.7) "QUALIFIED MENTAL HEALTH PROFESSIONAL" MEANS AN
 48 INDIVIDUAL WHO IS A LICENSED PSYCHOLOGIST, A LICENSED
 49 PSYCHIATRIST, A LICENSED CLINICAL SOCIAL WORKER, A PSYCHOLOGIST
 50 CANDIDATE FOR LICENSURE, A LICENSED MARRIAGE AND FAMILY
 51 THERAPIST, OR A MASTERS-LEVEL MENTAL HEALTH THERAPIST WHO IS
 52 UNDER THE SUPERVISION OF A LICENSED MENTAL HEALTH PROFESSIONAL.

53 (6) "Restraint" means any method or device used to involuntarily
 54 limit freedom of movement, including ~~but not limited to~~ bodily physical
 55 force, mechanical devices, or chemicals. "Restraint" includes a chemical
 56 restraint, a mechanical restraint, a AND physical restraint. ~~and seclusion.~~

1 "Restraint" does not include:

2 (c) The holding of an individual for less than five minutes by a
3 staff person for protection of the individual or other persons; OR

4 (d) Placement of an inpatient or resident in his or her room for the
5 night. ~~or~~

6 (e) ~~The use of time-out as may be defined by written policies,
7 rules, or procedures of an agency.~~

8 (7) "Seclusion" means the placement of ~~a person~~ AN INDIVIDUAL
9 alone in a room OR AREA from which egress is involuntarily prevented,
10 EXCEPT DURING NORMAL SLEEPING HOURS.

11 (8) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
12 HUMAN SERVICES.

13 (9) "YOUTH" MEANS AN INDIVIDUAL WHO IS LESS THAN
14 TWENTY-ONE YEARS OF AGE.

15 **SECTION 3.** In Colorado Revised Statutes, **amend** 26-20-103 as
16 follows:

17 **26-20-103. Basis for use of restraint or seclusion.** (1) Subject
18 to the provisions of this article, an agency may only use restraint OR
19 SECLUSION ON AN INDIVIDUAL:

20 (a) In cases of emergency, AS DEFINED IN SECTION 26-20-102 (3);
21 and

22 (b) (I) After the failure of less restrictive alternatives; or

23 (II) After a determination that such alternatives would be
24 inappropriate or ineffective under the circumstances.

25 (1.5) RESTRAINT AND SECLUSION MUST NEVER BE USED:

26 (a) AS A PUNISHMENT OR DISCIPLINARY SANCTION;

27 (b) AS PART OF A TREATMENT PLAN OR BEHAVIOR MODIFICATION
28 PLAN;

29 (c) FOR THE PURPOSE OF RETALIATION BY STAFF; OR

30 (d) FOR THE PURPOSE OF PROTECTION, UNLESS:

31 (I) THE RESTRAINT OR SECLUSION IS ORDERED BY THE COURT; OR

32 (II) IN AN EMERGENCY, AS PROVIDED FOR IN SUBSECTION (1) OF
33 THIS SECTION.

34 (2) An agency that uses restraint OR SECLUSION pursuant to the
35 provisions of subsection (1) of this section shall use such restraint OR
36 SECLUSION:

37 (a) ~~For~~ ONLY FOR the purpose of preventing the continuation or
38 renewal of an emergency;

39 (b) ~~For~~ ONLY FOR the period of time necessary to accomplish its
40 purpose; and

41 (c) In the case of physical restraint, ~~using~~ ONLY IF no more force
42 than is necessary to limit the individual's freedom of movement IS USED.

43 (3) In addition to the circumstances described in subsection (1) of
44 this section, a facility, as defined in section 27-65-102 (7), C.R.S., that is
45 designated by the executive director of the STATE department of ~~human~~
46 ~~services~~ to provide treatment pursuant to section 27-65-105, 27-65-106,
47 27-65-107, or 27-65-109, C.R.S., to ~~a person~~ AN INDIVIDUAL with mental
48 illness, as defined in section 27-65-102 (14), C.R.S., may use seclusion
49 to restrain ~~a person~~ AN INDIVIDUAL with a mental illness when the
50 seclusion is necessary to eliminate a continuous and serious disruption of
51 the treatment environment.

52 (4) (a) The general assembly recognizes that skilled nursing and
53 nursing care facilities that participate in federal medicaid programs are
54 subject to federal statutes and regulations concerning the use of restraint
55 in such facilities that afford protections from restraint in a manner
56 consistent with the purposes and policies set forth in this article.

1 (b) If the use of restraint OR SECLUSION in skilled nursing and
 2 nursing care facilities licensed under state law is in accordance with the
 3 federal statutes and regulations governing the medicare program set forth
 4 in 42 U.S.C. sec. 1395i-3(c) and 42 CFR part 483, subpart B and the
 5 medicaid program set forth in 42 U.S.C. sec. 1396r(c) and 42 CFR part
 6 483, subpart B and with the rules of the department of public health and
 7 environment relating to the licensing of these facilities, there ~~shall be~~ IS
 8 a conclusive presumption that ~~such~~ use of restraint OR SECLUSION is in
 9 accordance with the provisions of this article.

10 (5) (a) The general assembly recognizes that article 10.5 of title
 11 27, C.R.S., AND ARTICLE 10 OF TITLE 25.5, C.R.S., and the rules
 12 promulgated pursuant to the ~~authority~~ AUTHORITIES set forth in ~~that article~~
 13 THOSE ARTICLES, address the use of restraint on ~~a person~~ AN INDIVIDUAL
 14 with a developmental disability.

15 (b) If any provision of this article concerning the use of restraint
 16 OR SECLUSION conflicts with any provision concerning the use of restraint
 17 OR SECLUSION stated in article 10.5 of title 27, C.R.S., ARTICLE 10 OF
 18 TITLE 25.5, C.R.S., or any ~~regulation~~ RULE adopted pursuant thereto, the
 19 provision of article 10.5 of title 27, C.R.S., ARTICLE 10 OF TITLE 25.5,
 20 C.R.S., or the ~~regulation~~ RULE adopted pursuant thereto ~~shall prevail~~
 21 PREVAILS.

22 (6) The provisions of this article ~~shall~~ DO not apply to any agency
 23 ~~while~~ engaged in transporting ~~a person~~ AN INDIVIDUAL from one facility
 24 or location to another facility or location when it is within the scope of
 25 that agency's powers and authority to effect such transportation.

26 **SECTION 4.** In Colorado Revised Statutes, **add** 26-20-104.5 as
 27 follows:

28 **26-20-104.5. Duties relating to use of seclusion by division of**
 29 **youth corrections.** (1) NOTWITHSTANDING THE PROVISIONS OF SECTION
 30 26-20-103 TO THE CONTRARY, IF THE DIVISION OF YOUTH CORRECTIONS
 31 HOLDS A YOUTH IN SECLUSION IN ANY SECURE STATE-OPERATED OR
 32 STATE-OWNED FACILITY:

33 (a) A STAFF MEMBER SHALL CHECK THE YOUTH'S SAFETY AT
 34 VARYING INTERVALS, BUT AT LEAST EVERY FIFTEEN MINUTES;

35 (b) WITHIN ONE HOUR AFTER THE BEGINNING OF THE YOUTH'S
 36 SECLUSION PERIOD, AND EVERY HOUR THEREAFTER, A STAFF MEMBER
 37 SHALL NOTIFY THE FACILITY DIRECTOR OR HIS OR HER DESIGNEE OF THE
 38 SECLUSION AND RECEIVE HIS OR HER WRITTEN APPROVAL OF THE
 39 SECLUSION; AND

40 (c) WITHIN TWELVE HOURS AFTER THE BEGINNING OF THE YOUTH'S
 41 SECLUSION PERIOD, THE DIVISION OF YOUTH CORRECTIONS SHALL NOTIFY
 42 THE YOUTH'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN AND INFORM
 43 THAT PERSON THAT THE YOUTH IS OR WAS IN SECLUSION AND THE REASON
 44 FOR HIS OR HER SECLUSION.

45 (2) (a) A YOUTH PLACED IN SECLUSION BECAUSE OF AN ONGOING
 46 EMERGENCY MUST NOT BE HELD IN SECLUSION BEYOND FOUR
 47 CONSECUTIVE HOURS, UNLESS THE REQUIREMENTS OF PARAGRAPH (b) OF
 48 THIS SUBSECTION (2) ARE SATISFIED.

49 (b) IF AN EMERGENCY SITUATION OCCURS THAT CONTINUES
 50 BEYOND FOUR CONSECUTIVE HOURS, THE DIVISION OF YOUTH
 51 CORRECTIONS MAY NOT CONTINUE THE USE OF SECLUSION FOR THAT
 52 YOUTH UNLESS THE FOLLOWING CRITERIA ARE MET AND DOCUMENTED:

53 (I) A QUALIFIED MENTAL HEALTH PROFESSIONAL, OR, IF SUCH
 54 PROFESSIONAL IS NOT AVAILABLE, THE FACILITY DIRECTOR OR HIS OR HER
 55 DESIGNEE, DETERMINES THAT REFERRAL OF THE YOUTH IN SECLUSION TO
 56 A MENTAL HEALTH FACILITY IS NOT WARRANTED; AND

1 (II) THE DIRECTOR OF THE DIVISION OF YOUTH CORRECTIONS, OR
2 HIS OR HER DESIGNEE, APPROVES AT OR BEFORE THE CONCLUSION OF FOUR
3 HOURS, AND EVERY HOUR THEREAFTER, THE CONTINUED USE OF
4 SECLUSION.

5 (c) A YOUTH MAY NOT BE HELD IN SECLUSION UNDER ANY
6 CIRCUMSTANCES FOR MORE THAN EIGHT TOTAL HOURS IN TWO
7 CONSECUTIVE CALENDAR DAYS WITHOUT A WRITTEN COURT ORDER.

8 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
9 THE DIVISION OF YOUTH CORRECTIONS MAY PLACE A YOUTH ALONE IN A
10 ROOM OR AREA FROM WHICH EGRESS IS INVOLUNTARILY PREVENTED IF
11 SUCH CONFINEMENT IS PART OF A ROUTINE PRACTICE THAT IS APPLICABLE
12 TO SUBSTANTIAL PORTIONS OF THE POPULATION. SUCH CONFINEMENT
13 MUST BE IMPOSED ONLY FOR THE COMPLETION OF ADMINISTRATIVE TASKS
14 AND SHOULD LAST NO LONGER THAN NECESSARY TO ACHIEVE THE TASK
15 SAFELY AND EFFECTIVELY.

16 **SECTION 5.** In Colorado Revised Statutes, **amend** 26-20-105 as
17 follows:

18 **26-20-105. Staff training concerning the use of restraint and**
19 **seclusion - adults and youth.** (1) ~~All agencies~~ AN AGENCY THAT
20 UTILIZES RESTRAINT OR SECLUSION shall ensure that ALL staff INVOLVED
21 IN utilizing restraint OR SECLUSION in ITS facilities or programs are trained
22 in the appropriate use of restraint AND SECLUSION.

23 (1.5) THE DIVISION OF YOUTH CORRECTIONS SHALL ENSURE THAT
24 ALL STAFF INVOLVED IN UTILIZING RESTRAINT AND SECLUSION ARE
25 TRAINED IN:

26 (a) THE HEALTH AND BEHAVIORAL EFFECTS OF RESTRAINT AND
27 SECLUSION ON YOUTH, INCLUDING THOSE WITH MENTAL ILLNESS OR
28 DEVELOPMENTAL DISABILITIES;

29 (b) EFFECTIVE DE-ESCALATION TECHNIQUES FOR YOUTH IN CRISIS,
30 INCLUDING THOSE WITH MENTAL ILLNESS OR DEVELOPMENTAL
31 DISABILITIES;

32 (c) THE VALUE OF POSITIVE OVER NEGATIVE REINFORCEMENT IN
33 DEALING WITH YOUTH; AND

34 (d) METHODS FOR IMPLEMENTING POSITIVE BEHAVIOR INCENTIVES.

35 (2) All agencies THAT UTILIZE RESTRAINT OR SECLUSION shall
36 ensure that staff are trained to explain, where possible, the use of restraint
37 OR SECLUSION to the individual who is to be restrained OR SECLUDED and
38 to the individual's family if appropriate.

39 **SECTION 6.** In Colorado Revised Statutes, **amend** 26-20-106 as
40 follows:

41 **26-20-106. Documentation requirements for restraint and**
42 **seclusion - adults and youth.** (1) Each agency shall ensure that ~~an~~
43 ~~appropriate notation~~ of the use of restraint OR SECLUSION is documented
44 in the record of the individual WHO WAS restrained OR SECLUDED. Each
45 agency that is authorized to promulgate rules or adopt ordinances shall
46 promulgate rules or adopt ordinances applicable to the agencies within
47 their respective jurisdictions specifying the documentation requirements
48 for purposes of this section.

49 (2) THE DIVISION OF YOUTH CORRECTIONS SHALL MAINTAIN THE
50 FOLLOWING DOCUMENTATION EACH TIME A YOUTH IS PLACED IN
51 SECLUSION AS A RESULT OF AN EMERGENCY IN ANY SECURE
52 STATE-OPERATED OR STATE-OWNED FACILITY:

53 (a) THE DATE OF THE OCCURRENCE;

54 (b) THE RACE, AGE, AND GENDER OF THE INDIVIDUAL;

55 (c) THE REASON OR REASONS FOR SECLUSION, INCLUDING A
56 DESCRIPTION OF THE EMERGENCY AND THE SPECIFIC FACTS THAT

- 1 DEMONSTRATE THAT THE YOUTH POSED A SERIOUS, PROBABLE, AND
2 IMMINENT THREAT OF BODILY HARM TO HIMSELF, HERSELF, OR OTHERS,
3 AND THAT THERE WAS A PRESENT ABILITY TO EFFECT SUCH BODILY HARM;
4 (d) A DESCRIPTION OF DE-ESCALATION MEASURES TAKEN BY STAFF
5 AND THE RESPONSE, IF ANY, OF THE YOUTH IN SECLUSION TO THOSE
6 MEASURES;
7 (e) AN EXPLANATION OF WHY LESS RESTRICTIVE ALTERNATIVES
8 WERE UNSUCCESSFUL;
9 (f) THE TOTAL TIME IN SECLUSION;
10 (g) ANY INCIDENTS OF SELF-HARM OR SUICIDE THAT OCCURRED
11 WHILE THE YOUTH WAS IN SECLUSION;
12 (h) WITH RESPECT TO THE INTERACTIONS REQUIRED BY SECTION
13 26-20-104.5, DOCUMENTATION OF THE JUSTIFICATION FOR KEEPING THE
14 YOUTH IN SECLUSION AND SPECIFIC FACTS TO DEMONSTRATE THAT THE
15 EMERGENCY WAS ONGOING;
16 (i) THE FACILITY DIRECTOR OR HIS OR HER DESIGNEE'S APPROVAL
17 OF CONTINUED SECLUSION AT INTERVALS AS REQUIRED BY SECTION
18 26-20-104.5;
19 (j) DOCUMENTATION OF NOTIFICATION WITHIN TWELVE HOURS TO
20 THE PARENT, GUARDIAN, OR LEGAL CUSTODIAN OF THE YOUTH IN
21 SECLUSION AS REQUIRED BY SECTION 26-20-104.5; AND
22 (k) THE WRITTEN APPROVAL BY THE DIRECTOR OF THE DIVISION OF
23 YOUTH CORRECTIONS FOR ANY SECLUSION THAT RESULTS FROM AN
24 EMERGENCY THAT EXTENDS BEYOND FOUR CONSECUTIVE HOURS, AS
25 REQUIRED BY SECTION 26-20-104.5. THIS WRITTEN APPROVAL MUST
26 INCLUDE DOCUMENTATION OF SPECIFIC FACTS TO DEMONSTRATE THAT THE
27 EMERGENCY WAS ONGOING AND SPECIFIC REASONS WHY A REFERRAL TO
28 A MENTAL HEALTH FACILITY WAS NOT WARRANTED.
29 (3) THE DIVISION OF YOUTH CORRECTIONS SHALL MAINTAIN THE
30 FOLLOWING DOCUMENTATION EACH TIME ONE OR MORE YOUTHS ARE
31 PLACED IN CONFINEMENT FOR ADMINISTRATIVE REASONS PURSUANT TO
32 SECTION 26-20-104.5 (3) IN A SECURE STATE-OPERATED OR STATE-OWNED
33 FACILITY:
34 (a) THE NUMBER OF YOUTH CONFINED;
35 (b) THE LENGTH OF TIME THE YOUTH OR YOUTHS WERE CONFINED;
36 AND
37 (c) THE REASON OR REASONS FOR THE CONFINEMENT.
38 (4) THE DIVISION OF YOUTH CORRECTIONS HAS THE FOLLOWING
39 REPORTING REQUIREMENTS RELATED TO THE USE OF SECLUSION IN ANY
40 SECURE STATE-OPERATED OR STATE-OWNED FACILITY:
41 (a) ON OR BEFORE JANUARY 1, 2017, AND ON OR BEFORE JULY 1,
42 2017, AND EVERY JANUARY 1 AND JULY 1 THEREAFTER, TO REPORT TO THE
43 YOUTH SECLUSION WORKING GROUP ESTABLISHED IN SECTION 26-20-111.
44 THE JANUARY BIENNIAL REPORT MUST INCLUDE INFORMATION FROM
45 MARCH 1 THROUGH AUGUST 31, AND THE JULY BIENNIAL REPORT MUST
46 INCLUDE INFORMATION FROM SEPTEMBER 1 THROUGH THE LAST DAY OF
47 FEBRUARY. THE REPORTS MUST INCLUDE THE FOLLOWING:
48 (I) AN INCIDENT REPORT ON ANY USE OF SECLUSION ON A YOUTH
49 DUE TO AN EMERGENCY FOR MORE THAN FOUR CONSECUTIVE HOURS, OR
50 FOR MORE THAN EIGHT TOTAL HOURS IN TWO CONSECUTIVE CALENDAR
51 DAYS. EACH INCIDENT REPORT MUST INCLUDE LENGTH OF SECLUSION,
52 SPECIFIC FACTS THAT DEMONSTRATE THAT THE EMERGENCY WAS
53 ONGOING, ANY INCIDENTS OF SELF-HARM WHILE IN SECLUSION, THE
54 REASONS WHY ATTEMPTS TO PROCESS THE YOUTH OUT OF SECLUSION
55 WERE UNSUCCESSFUL, AND ANY CORRECTIVE MEASURES TAKEN TO
56 PREVENT LENGTHY OR REPEAT PERIODS OF SECLUSION IN THE FUTURE. TO

1 PROTECT THE PRIVACY OF THE YOUTH, THE DIVISION OF YOUTH
2 CORRECTIONS SHALL REDACT ALL PRIVATE MEDICAL OR MENTAL HEALTH
3 INFORMATION AND PERSONAL IDENTIFYING INFORMATION, INCLUDING, IF
4 NECESSARY, THE FACILITY AT WHICH THE SECLUSION OCCURRED.

5 (II) A REPORT THAT LISTS THE FOLLOWING AGGREGATE
6 INFORMATION, BOTH AS COMBINED TOTALS AND TOTALS BY FACILITY FOR
7 ALL SECURE STATE-OPERATED OR STATE-OWNED FACILITIES:

8 (A) THE TOTAL NUMBER OF YOUTH HELD IN SECLUSION DUE TO AN
9 EMERGENCY;

10 (B) THE TOTAL NUMBER OF INCIDENTS OF SECLUSION DUE TO AN
11 EMERGENCY;

12 (C) THE AVERAGE TIME IN SECLUSION PER INCIDENT; AND

13 (D) AN AGGREGATE SUMMARY OF RACE, AGE, AND GENDER OF
14 YOUTH HELD IN SECLUSION; AND

15 (b) ON OR BEFORE JANUARY 1, 2019, AND ON OR BEFORE JULY 1,
16 2019, AND EVERY JANUARY 1 AND JULY 1 THEREAFTER, TO REPORT TO THE
17 YOUTH SECLUSION WORKING GROUP ESTABLISHED IN SECTION 26-20-111.
18 THE JANUARY BIENNIAL REPORT MUST INCLUDE INFORMATION FROM
19 MARCH 1 THROUGH AUGUST 31, AND THE JULY BIENNIAL REPORT MUST
20 INCLUDE INFORMATION FROM SEPTEMBER 1 THROUGH THE LAST DAY OF
21 FEBRUARY. THE REPORT MUST INCLUDE THE FOLLOWING AGGREGATE
22 INFORMATION, BOTH AS COMBINED TOTALS FOR ALL SECURE
23 STATE-OPERATED AND STATE-OWNED FACILITIES AND BY FACILITY:

24 (I) THE NUMBER OF TIMES YOUTH WERE CONFINED FOR
25 ADMINISTRATIVE PURPOSES FOR MORE THAN TWO HOURS IN A CALENDAR
26 DAY;

27 (II) THE AVERAGE AMOUNT OF TIME YOUTH SPENT PER DAY
28 CONFINED FOR ADMINISTRATIVE PURPOSES; AND

29 (III) AN AGGREGATE SUMMARY OF THE REASONS YOUTH WERE
30 CONFINED FOR ADMINISTRATIVE PURPOSES.

31 (5) REPORTS PREPARED PURSUANT TO THIS SECTION MUST
32 MAINTAIN THE CONFIDENTIALITY OF ALL YOUTH. THE REPORTS MADE
33 PURSUANT TO THIS SECTION ARE AVAILABLE TO THE PUBLIC UPON
34 REQUEST.

35 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-20-107 as
36 follows:

37 **26-20-107. Review of the use of restraint and seclusion.** ~~Each~~
38 AN agency THAT UTILIZES RESTRAINT OR SECLUSION shall ensure that a
39 review process is established for the appropriate use of restraint OR
40 SECLUSION.

41 **SECTION 8.** In Colorado Revised Statutes, **amend** 26-20-108 as
42 follows:

43 **26-20-108. Rules.** ~~Each~~ AN agency that is authorized to
44 promulgate rules or adopt ordinances shall promulgate rules or adopt
45 ordinances applicable to the agencies within their respective jurisdictions
46 that establish procedures for the use of restraint AND SECLUSION
47 consistent with the provisions of this article. Any agency that has rules or
48 ordinances in existence on April 22, 1999, is not required to promulgate
49 additional rules or adopt additional ordinances unless that agency's
50 existing rules or ordinances do not meet the minimum requirements of
51 this article.

52 **SECTION 9.** In Colorado Revised Statutes, **add** 26-20-110 as
53 follows:

54 **26-20-110. Youth seclusion working group - membership -**
55 **purpose - repeal.** (1) THERE IS ESTABLISHED WITHIN THE DIVISION OF
56 YOUTH CORRECTIONS A YOUTH SECLUSION WORKING GROUP, REFERRED TO

1 IN THIS SECTION AS THE "WORKING GROUP". THE WORKING GROUP
2 CONSISTS OF:

3 (a) THE DIRECTOR OF THE OFFICE OF CHILDREN, YOUTH, AND
4 FAMILIES IN THE DIVISION OF CHILD WELFARE WITHIN THE STATE
5 DEPARTMENT, OR HIS OR HER DESIGNEE. THE DIRECTOR SHALL CONVENE
6 THE WORKING GROUP AND SERVE AS CHAIR.

7 (b) THE DIRECTOR OF THE DIVISION OF YOUTH CORRECTIONS, OR
8 HIS OR HER DESIGNEE;

9 (c) THE DIRECTOR OF BEHAVIORAL HEALTH WITHIN THE DIVISION
10 OF YOUTH CORRECTIONS, OR HIS OR HER DESIGNEE;

11 (d) THE DIRECTOR OF THE OFFICE OF BEHAVIORAL HEALTH WITHIN
12 THE STATE DEPARTMENT, OR HIS OR HER DESIGNEE;

13 (e) AN EMPLOYEE OF THE DIVISION OF YOUTH CORRECTIONS WHO
14 IS A REPRESENTATIVE OF AN ORGANIZATION IN COLORADO THAT EXISTS
15 FOR THE PURPOSE OF DEALING WITH THE STATE AS AN EMPLOYER
16 CONCERNING ISSUES OF MUTUAL CONCERN BETWEEN EMPLOYEES AND THE
17 STATE, AS APPOINTED BY THE GOVERNOR;

18 (f) TWO REPRESENTATIVES FROM NONPROFIT ADVOCACY GROUPS
19 THAT WORK TO RESTRICT SECLUSION FOR YOUTH OR THAT REPRESENT
20 CHILDREN WITHIN THE CUSTODY OF THE DIVISION OF YOUTH CORRECTIONS,
21 ONE WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF
22 REPRESENTATIVES AND ONE WHO IS APPOINTED BY THE PRESIDENT OF THE
23 SENATE; AND

24 (g) TWO EXPERTS INDEPENDENT FROM THE DIVISION OF YOUTH
25 CORRECTIONS WITH EXPERTISE IN ADOLESCENT DEVELOPMENT,
26 ADOLESCENT BRAIN DEVELOPMENT, TRAUMA-INFORMED CARE OF
27 JUVENILES, POSITIVE BEHAVIOR INCENTIVES IN A JUVENILE CORRECTIONAL
28 SETTING, EVIDENCE-BASED DE-ESCALATION TECHNIQUES, OR THE
29 NEGATIVE EFFECTS OF SECLUSION ON THE ADOLESCENT BRAIN. THE
30 MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT
31 ONE EXPERT AND THE MINORITY LEADER OF THE SENATE SHALL APPOINT
32 THE OTHER EXPERT.

33 (2) THE WORKING GROUP SHALL ADVISE THE DIVISION OF YOUTH
34 CORRECTIONS ON POLICIES, PROCEDURES, AND BEST PRACTICES RELATED
35 TO SECLUSION AND ALTERNATIVES TO SUCH SECLUSION.

36 (3) THE WORKING GROUP SHALL MONITOR THE DIVISION OF YOUTH
37 CORRECTIONS' USE OF CONFINEMENT FOR ADMINISTRATIVE PURPOSES AND,
38 IF NECESSARY, MAKE RECOMMENDATIONS TO THE DIVISION OF YOUTH
39 CORRECTIONS AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES
40 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND
41 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
42 COMMITTEES, ABOUT LIMITING THE USE OF CONFINEMENT FOR
43 ADMINISTRATIVE PURPOSES.

44 (4) THE WORKING GROUP MAY REQUEST, ON A BIENNIAL BASIS,
45 INFORMATION AND DATA FROM THE STATE DEPARTMENT ON THE STATUS
46 OF THE DIVISION OF YOUTH CORRECTIONS' WORK RELATED TO THE
47 SECLUSION OF YOUTH IN THEIR CARE AND CUSTODY.

48 (5) THE CHAIR OF THE WORKING GROUP SHALL CONVENE THE
49 WORKING GROUP'S FIRST MEETING NO LATER THAN AUGUST 1, 2016. THE
50 WORKING GROUP MUST MEET AT LEAST SEMI-ANNUALLY THEREAFTER. THE
51 CHAIR SHALL SCHEDULE AND CONVENE SUBSEQUENT MEETINGS.

52 (6) THE CHAIR SHALL PROVIDE THE WORKING GROUP WITH
53 BIENNIAL UPDATES ON THE DIVISION OF YOUTH CORRECTIONS' POLICIES
54 RELATED TO SECLUSION AND ALTERNATIVES TO SECLUSION.

55 (7) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024.

56 (b) PRIOR TO THE REPEAL, THE WORKING GROUP SHALL BE

1 REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

2 **SECTION 10.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
3 (kk) (V) as follows:

4 **2-3-1203. Sunset review of advisory committees.** (3) The
5 following dates are the dates on which the statutory authorization for the
6 designated advisory committee is scheduled for repeal:

7 (kk) September 1, 2024:

8 (V) THE YOUTH SECLUSION WORKING GROUP IN THE DIVISION OF
9 YOUTH CORRECTIONS CREATED IN SECTION 26-20-110, C.R.S.;

10 **SECTION 11. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."
13

14

15

16

17 **HB16-1347** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20

21 Amend printed bill, page 2, line 11, after the period insert "AN EMPLOYER
22 MAY DESIGNATE INFORMATION SUBMITTED TO THE DIVISION AS
23 PROPRIETARY, A TRADE SECRET, OR PRIVILEGED INFORMATION IN
24 ACCORDANCE WITH SECTION 24-72-204, C.R.S., AS LONG AS THE
25 DIRECTOR IS NOT BOUND BY THE EMPLOYER'S DESIGNATION."

26

27 Page 3, strike lines 1 through 6 and substitute "THE DIVISION SHALL TREAT
28 ANY NOTICE OF CITATION OR NOTICE OF ASSESSMENT ISSUED TO AN
29 EMPLOYER FOR VIOLATION OF A WAGE LAW, INCLUDING A VIOLATION OF
30 SECTION 8-4-111 (2) (c), AFTER ALL REMEDIES HAVE BEEN EXHAUSTED
31 PURSUANT TO SECTION 8-4-111.5, AS A PUBLIC RECORD AND SHALL
32 RELEASE THE INFORMATION TO THE".

33

34 Page 3, lines 9 and 10, strike "INCLUDES SPECIFIC INFORMATION THAT".

35

36 Page 3, line 13, strike "TEN" and substitute "TWENTY".

37

38

39

40 **HB16-1384** be postponed indefinitely.

41

42

43 **SB16-132** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend reengrossed bill, page 3, line 10, strike "OR".

48

49 Page 3, strike line 14 and substitute "DUTIES; OR

50 (D) ANY PARTY WHO OBTAINS AN ORDER IN A PENDING CIVIL OR
51 CRIMINAL CASE IF THE COURT FINDS THE PARTY HAS SHOWN GOOD CAUSE
52 TO HAVE THE INFORMATION. IN DETERMINING WHETHER THERE IS GOOD
53 CAUSE, THE COURT SHALL CONSIDER WHETHER THE MATERIALS SOUGHT
54 EXIST; WHETHER THE MATERIALS SOUGHT ARE EVIDENTIARY AND
55 RELEVANT; WHETHER THE MATERIALS ARE NOT OTHERWISE PROCURABLE
56 REASONABLY IN ADVANCE OF THE PROCEEDING BY THE EXERCISE OF DUE
DILIGENCE; WHETHER THE PARTY CANNOT PROPERLY PREPARE FOR THE

1 PROCEEDING WITHOUT SUCH PRODUCTION AND INSPECTION IN ADVANCE
 2 OF THE PROCEEDING, AND THE FAILURE TO OBTAIN SUCH INSPECTION MAY
 3 TEND TO UNREASONABLY DELAY THE PROCEEDING; AND WHETHER THE
 4 REQUEST FOR THE INFORMATION IS MADE IN GOOD FAITH AND IS NOT FOR
 5 THE PURPOSES OF GENERAL DISCOVERY.".

6
 7
 8
 9

10 **TRANSPORTATION & ENERGY**

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

13
 14 **SB16-123** be postponed indefinitely.

15
 16

17 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 18 **on HB16-1231**

19

20 This Report Amends the Reengrossed Bill.

21

22 To the President of the Senate and the
 23 Speaker of the House of Representatives:

24

25 Your first conference committee appointed on HB16-1231,
 26 concerning the limited use of automated vehicle identification systems
 27 designed to detect disobedience to a traffic signal, has met and reports
 28 that it has agreed upon the following:

29

30 That the Senate recede from its amendments made to the bill, as
 31 the amendments appear in the rerevised bill, and that the following
 32 amendments be substituted therefor:

33

34 Amend reengrossed bill, page 3, after line 17 insert:

35

36 "(IV) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH
 37 (h), THE STATE, A COUNTY, A CITY AND COUNTY, OR A MUNICIPALITY MAY
 38 NOT USE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM DESIGNED TO
 39 DETECT DISOBEDIENCE TO A TRAFFIC SIGNAL IN ANY LOCATION ON OR
 40 AFTER DECEMBER 31, 2016."

41

42 Respectfully submitted,

43 House Committee:

44 (signed)
 45 Steve Lebsock
 46 KC Becker
 47 Jon Becker

48

49

50

51

52 **PRINTING REPORT**

53

54 The Chief Clerk reports the following bill has been correctly printed:
 55 **HB16-1450.**

56

57

1
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

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: **SB16-016, 058, 126, 133, 137, and 145.**

MESSAGE FROM THE SENATE

The Senate has concurred with House Amendments to SB16-102 and the bill has been repassed as amended.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 22nd day of April, 2016, at 2:54 p.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

April 22, 2016

House of Representatives
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

HB16-1070: CONCERNING A SIGNATURE VERIFICATION REQUIREMENT FOR MUNICIPAL MAIL BALLOT ELECTIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 22, 2016 at 2:02 pm.

HB16-1155: CONCERNING AUTHORIZATION FOR A COUNTY TO DESIGNATE A FOUR-LANE CONTROLLED-ACCESS HIGHWAY THAT IS LOCATED IN THE COUNTY AS A PRIMARY ROAD OF THE COUNTY HIGHWAY SYSTEM, AND, IN CONNECTION THEREWITH, SPECIFYING THE JURISDICTION, CONTROL, AND DUTIES OF THE COUNTY AND OF A MUNICIPALITY THROUGH WHICH THE HIGHWAY PASSES WITH RESPECT TO SUCH A HIGHWAY.

Approved April 22, 2016 at 2:17 pm.

1 HB16-1323: CONCERNING CHANGING THE NAME OF THE
 2 DIVISION OF LABOR TO THE DIVISION OF LABOR
 3 STANDARDS AND STATISTICS.
 4

5 Approved April 22, 2016 at 2:07 pm.
 6

7 HB16-1350: CONCERNING THE DEPARTMENT OF HIGHER
 8 EDUCATION'S AUTHORITY TO MAKE TRANSFERS
 9 RELATING TO A GOVERNING BOARD'S FEE-FOR-
 10 SERVICE CONTRACTS FOR SPECIALTY EDUCATION.
 11

12 Approved April 22, 2016 at 2:12 pm.
 13

14 HB16-1352: CONCERNING THE APPROPRIATION OF MONEYS
 15 FROM THE STATE MUSEUM CASH FUND FOR THE
 16 BENEFIT OF FACILITIES OWNED AND OPERATED BY
 17 THE STATE HISTORICAL SOCIETY, AND, IN
 18 CONNECTION THEREWITH, MAKING AN
 19 APPROPRIATION.
 20

21 Approved April 22, 2016 at 2:03 pm.
 22

23 Sincerely,
 24 (Signed)
 25 John W. Hickenlooper
 26 Governor
 27

28
 29
 30 **INTRODUCTION OF BILLS**
 31 **First Reading**
 32

33 The following bills were read by title and referred to the committees
 34 indicated:
 35

36 HB16-1451 by Representative(s) Ryden and Rankin; also Senator(s)
 37 Scott and Heath--Concerning a requirement that the
 38 department of personnel create a procurement code
 39 working group to study ways to improve the state's
 40 "Procurement Code".

41 Committee on State, Veterans, & Military Affairs
 42

43 HB16-1452 by Representative(s) Melton; also Senator(s) Scott--
 44 Concerning the creation of a wine-expanded permit for
 45 hotels licensed to sell alcohol beverages, and, in
 46 connection therewith, allowing hotels to sell sealed
 47 containers of vinous liquors for on- and off- premises
 48 consumption.

49 Committee on Business Affairs and Labor
 50

51 HB16-1453 by Representative(s) Hamner, Young, Rankin,
 52 Hullinghorst, Duran, Lee, Nordberg, Becker K., Carver,
 53 Foote, Joshi, Klingenschmitt, Landgraf, Lundeen, Melton,
 54 Pabon, Primavera, Priola, Rosenthal, Roupe, Ryden,
 55 Williams; also Senator(s) Lambert, Grantham, Steadman,
 56 Cadman, Scheffel, Guzman, Merrifield, Baumgardner,

1 Carroll, Cooke, Crowder, Garcia, Heath, Hill, Hodge,
2 Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble,
3 Martinez Humenik, Newell, Scott, Tate, Todd, Ulibarri,
4 Woods--Concerning measures to enhance cybersecurity,
5 and, in connection therewith, making an appropriation.

6 Committee on Appropriations

7
8 **HB16-1454** by Representative(s) Moreno and Dore, Garnett; also
9 Senator(s) Guzman--Concerning primary elections, and, in
10 connection therewith, restoring a presidential primary
11 election in Colorado and allowing unaffiliated voters to
12 temporarily affiliate with a political party in order to vote
13 in primary elections in which the political party is
14 participating.

15 Committee on State, Veterans, & Military Affairs

18 INTRODUCTION OF RESOLUTION

19
20
21 The following resolution was read by title and laid over one day under the
22 rules:

23
24 **HJR16-1024** by Representative(s) Duran and DelGrosso, Hullinghorst;
25 also Senator(s) Scheffel and Guzman, Cadman--
26 Concerning a change to the joint rules of the Senate and
27 House of Representatives to establish requirements for
28 interim committees that relate to the process for requesting
29 and approving bills in order to timely prepare fiscal notes
30 for those bills.

31
32
33
34 On motion of Representative Duran, the following bill(s) will be
35 calendared for General Orders on April 25, 2016: **HB16-1378, 1347,**
36 **SB16-132.**

37
38
39
40 On motion of Representative Duran, the House adjourned until
41 10:00 a.m., April 25, 2016.

42
43 Approved:
44 DICKEY LEE HULLINGHORST,
45 Speaker

46 Attest:
47 MARILYN EDDINS,
48 Chief Clerk

49

