

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 14-0381.01 Jane Ritter x4342

**SENATE BILL 14-118**

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**SENATE SPONSORSHIP**

**Steadman,**

**HOUSE SPONSORSHIP**

**Melton,**

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**Senate Committees**  
Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING IMPROVING PROTECTIONS FOR INDIVIDUALS WITH**  
102 **DISABILITIES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill conforms several definitions related to discrimination based on a disability (discrimination) to the federal "Americans With Disabilities Act of 1990", including changing the term "assistance dog" to "service animal". The fine for discrimination in places of public accommodation, housing, and or violations of the rights of an individual

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
April 25, 2014

with a disability who uses a service animal or a trainer of a service animal is increased to \$3,500. Penalties are added for a person who causes harm to a service animal or service animal in training or a person who owns an animal that causes harm to a service animal or service animal in training.

The bill makes conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend 24-34-301** as  
3 follows:

4 **24-34-301. Definitions.** As used in parts 3 to 7 8 of this article,  
5 unless the context otherwise requires:

6 (1) "Age" means a chronological age of at least forty years.

7 (1.1) "AGENCY" OR "STATE AGENCY" MEANS ANY BOARD, BUREAU,  
8 COMMISSION, DEPARTMENT, INSTITUTION, DIVISION, SECTION, OR OFFICER  
9 OF THE STATE.

10 (1.5) "Commission" means the Colorado civil rights commission  
11 created by IN section 24-34-303.

12 (1.6) "Commissioner" means a member of the Colorado civil  
13 rights commission.

14 (2) "Director" means the director of the Colorado civil rights  
15 division, which office is created by IN section 24-34-302.

16 (2.5) (a) "Disability" means a physical impairment which  
17 substantially limits one or more of a person's major life activities and  
18 includes a record of such an impairment and being regarded as having  
19 such an impairment HAS THE SAME MEANING AS SET FORTH IN THE  
20 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
21 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND IMPLEMENTING  
22 REGULATIONS.

23 (b) (I) On and after July 1, 1990, as to part 5 of this article,

1 "disability" shall also include such a person who has a mental impairment,  
2 but such term does not include any person currently involved in the illegal  
3 use of or addiction to a controlled substance.

4 (H) On and after July 1, 1992, as to parts 4, 6, and 7 of this article,  
5 "disability" shall also include such a person who has a mental impairment.

6 (HH) The term "mental impairment" as used in subparagraphs (I)  
7 and (H) of this paragraph (b) shall mean any mental or psychological  
8 disorder such as developmental disability, organic brain syndrome, mental  
9 illness, or specific learning disabilities.

10 (3) "Division" means the Colorado civil rights division, created by  
11 IN section 24-34-302.

12 (4) (Deleted by amendment, L. 93, p. 1655, § 59, effective July 1,  
13 1993.)

14 (4.1) "HOUSING" MEANS A BUILDING, STRUCTURE, VACANT LAND,  
15 OR PART THEREOF OFFERED FOR SALE, LEASE, RENT, OR TRANSFER OF  
16 OWNERSHIP; EXCEPT THAT "HOUSING" DOES NOT INCLUDE ANY ROOM  
17 OFFERED FOR RENT OR LEASE IN A SINGLE-FAMILY DWELLING MAINTAINED  
18 AND OCCUPIED IN PART BY THE OWNER OR LESSEE OF SAID DWELLING AS  
19 HIS OR HER HOUSEHOLD.

20 (4.2) "HOUSING ACCOMMODATIONS" MEANS ANY REAL PROPERTY  
21 OR PORTION THEREOF THAT IS USED OR OCCUPIED, OR INTENDED,  
22 ARRANGED, OR DESIGNED TO BE USED OR OCCUPIED, AS THE HOME,  
23 RESIDENCE, OR SLEEPING PLACE OF ONE OR MORE PERSONS BUT DOES NOT  
24 INCLUDE ANY SINGLE FAMILY RESIDENCE, THE OCCUPANTS OF WHICH  
25 RENT, LEASE, OR FURNISH FOR COMPENSATION NOT MORE THAN ONE ROOM  
26 IN THAT RESIDENCE.

27 (4.5) "Marital status" means a relationship or a spousal status of

1 a person AN INDIVIDUAL, including but not limited to being single,  
2 cohabitating, engaged, widowed, married, in a civil union, or legally  
3 separated, or a relationship or a spousal status of a person AN INDIVIDUAL  
4 who has had or is in the process of having a marriage or civil union  
5 dissolved or declared invalid.

6 (5) (a) "Person" means one or more individuals, limited liability  
7 companies, partnerships, associations, corporations, legal representatives,  
8 trustees, receivers, OWNERS, LESSEES, PROPRIETORS, MANAGERS,  
9 EMPLOYEES, AGENTS OF ANY PERSON, or the state of Colorado and all OF  
10 ITS political subdivisions and agencies. thereof.

11 (b) FOR THE PURPOSES OF PART 5 OF THIS ARTICLE, "PERSON" DOES  
12 NOT INCLUDE ANY PRIVATE CLUB NOT OPEN TO THE PUBLIC, WHICH AS AN  
13 INCIDENT TO ITS PRIMARY PURPOSE OR PURPOSES PROVIDES LODGINGS  
14 THAT IT OWNS OR OPERATES FOR OTHER THAN A COMMERCIAL PURPOSE,  
15 UNLESS SUCH CLUB HAS THE PURPOSE OF PROMOTING DISCRIMINATION IN  
16 THE MATTER OF HOUSING AGAINST ANY PERSON BECAUSE OF DISABILITY,  
17 RACE, CREED, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, MARITAL  
18 STATUS, FAMILIAL STATUS, NATIONAL ORIGIN, OR ANCESTRY.

19 (5.3) "PLACE OF PUBLIC ACCOMMODATION" OR "PUBLIC  
20 ACCOMMODATION" HAS THE SAME MEANING AS SET FORTH IN TITLE III OF  
21 THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.  
22 SEC. 12181 (7), AND ITS RELATED AMENDMENTS AND IMPLEMENTING  
23 REGULATIONS.

24 (5.4) "PUBLIC ENTITY" HAS THE SAME MEANING AS SET FORTH IN  
25 TITLE II OF THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990",  
26 42 U.S.C. SEC. 12131, AND ITS RELATED AMENDMENTS AND  
27 IMPLEMENTING REGULATIONS.

1           (5.5) "PUBLIC TRANSPORTATION SERVICE" MEANS A COMMON  
2           CARRIER OF PASSENGERS OR ANY OTHER MEANS OF PUBLIC CONVEYANCE  
3           OR MODES OF TRANSPORTATION, INCLUDING BUT NOT LIMITED TO  
4           AIRPLANES, MOTOR VEHICLES, RAILROAD TRAINS, MOTOR BUSES,  
5           STREETCARS, BOATS, OR TAXIS.

6           (5.6) "QUALIFIED INDIVIDUAL WITH A DISABILITY" OR "INDIVIDUAL  
7           WITH A DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE  
8           FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
9           12131, AND ITS RELATED AMENDMENTS AND IMPLEMENTING  
10           REGULATIONS.

11           (6) "Respondent" means any person, agency, organization, or  
12           other entity against whom a charge is filed pursuant to any of the  
13           provisions of parts 3 to 7 8 of this article.

14           (6.5) "SERVICE ANIMAL" HAS THE SAME MEANING AS SET FORTH IN  
15           THE IMPLEMENTING REGULATIONS OF TITLE II AND TITLE III OF THE  
16           FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
17           12101 ET SEQ.

18           (7) "Sexual orientation" means a ~~person's~~ AN INDIVIDUAL'S  
19           orientation toward heterosexuality, homosexuality, bisexuality, or  
20           transgender status or another ~~person's~~ INDIVIDUAL'S perception thereof.

21           (8) "TRAINER OF A SERVICE ANIMAL" MEANS A PERSON WHO  
22           INDIVIDUALLY TRAINS A SERVICE ANIMAL.

23           **SECTION 2.** In Colorado Revised Statutes, 24-34-401, **amend**  
24           the introductory portion; and **repeal** (7.5) as follows:

25           **24-34-401. Definitions.** As used in this part 4, unless OTHERWISE  
26           DEFINED IN SECTION 24-34-301 OR UNLESS the context otherwise requires:

27           (7.5) "~~Sexual orientation~~" means a ~~person's orientation toward~~

1 heterosexuality, homosexuality, bisexuality, or transgender status or an  
2 employer's perception thereof.

3 SECTION 3. In Colorado Revised Statutes, 24-34-502, add (1)  
4 (k) as follows:

5 24-34-502. Unfair housing practices prohibited. (1) It shall be  
6 an unfair housing practice and unlawful and hereby prohibited:

7 (k) FOR ANY PERSON TO VIOLATE THE PROVISIONS OF SECTION  
8 24-34-502.2.

9 SECTION 4. In Colorado Revised Statutes, 24-34-502.2, amend  
10 (1), (2), and (3) as follows:

11 24-34-502.2. Unfair or discriminatory housing practices  
12 against individuals with disabilities prohibited. (1) It shall be IS an  
13 unfair or discriminatory housing practice and THEREFORE unlawful and  
14 hereby prohibited:

15 (a) For any A person to discriminate in the sale or rental of, or to  
16 otherwise make unavailable or deny, a dwelling to any buyer or renter  
17 because of a disability of the A buyer or renter, or of any person AN  
18 INDIVIDUAL who will reside in the dwelling after it is sold, rented, or  
19 made available, or of any person INDIVIDUAL associated with such THE  
20 buyer or renter;

21 (b) For any A person to discriminate against another person AN  
22 INDIVIDUAL in the terms, conditions, or privileges of sale or rental of a  
23 dwelling or in the provision of services or facilities in connection with  
24 such dwelling because of a disability of that person INDIVIDUAL, of any  
25 person INDIVIDUAL residing in or intending to reside in that dwelling after  
26 it is so sold, rented, or made available, or of any person INDIVIDUAL  
27 associated with that person THE INDIVIDUAL.

1           (2) For purposes of this section, "discrimination" includes BOTH  
2 SEGREGATE AND SEPARATE AND INCLUDES, but is not limited to:

3           (a) A refusal to permit, at the expense of ~~the person~~ AN  
4 INDIVIDUAL with a disability, reasonable modifications of existing  
5 premises occupied or to be occupied by ~~such person~~ THE INDIVIDUAL if  
6 ~~such~~ THE modifications are necessary to afford ~~such person~~ THE  
7 INDIVIDUAL WITH full enjoyment of the premises; except that, in the case  
8 of a rental, the landlord may, where it is reasonable to do so, condition  
9 permission for a modification on the renter agreeing to restore the interior  
10 of the premises to the condition that existed before the modification,  
11 reasonable wear and tear excepted;

12           (b) A refusal to make reasonable accommodations in rules,  
13 policies, practices, or services when such accommodations may be  
14 necessary to afford ~~such person~~ THE INDIVIDUAL WITH A DISABILITY equal  
15 opportunity to use and enjoy a dwelling; and

16           (c) In connection with the design and construction of covered  
17 multifamily dwellings for first occupancy after the date that is thirty  
18 months after the date of enactment of the federal "Fair Housing  
19 Amendments Act of 1988", a failure to design and construct those  
20 dwellings in such a manner that the public use and common use portions  
21 of ~~such~~ THE dwellings are readily accessible to and usable by ~~persons~~  
22 INDIVIDUALS with disabilities. At least one building entrance ~~shall~~ MUST  
23 be on an accessible route unless it is impractical to do so because of the  
24 terrain or the unusual characteristics of the site. All doors designed to  
25 allow passage into and within all premises within ~~such~~ THE dwellings  
26 ~~shall~~ MUST be sufficiently wide to allow passage by ~~persons~~ INDIVIDUALS  
27 with disabilities ~~in wheelchairs~~ USING MOBILITY DEVICES, and all premises

1 within such THE dwellings shall MUST contain the following features of  
2 adaptive design:

- 3 (I) Accessible routes into and through the dwellings;
- 4 (II) Light switches, electrical outlets, thermostats, and other  
5 environmental controls in accessible locations;
- 6 (III) Reinforcements in bathroom walls to allow later installation  
7 of grab bars; and
- 8 (IV) Usable kitchens and bathrooms such that an individual in a  
9 wheelchair USING A MOBILITY DEVICE can maneuver about the space.

10 (3) Compliance with the appropriate requirements of the  
11 American national standard for buildings and facilities providing  
12 accessibility and usability for persons INDIVIDUALS with physical  
13 disabilities (commonly cited as ANSI A117.1) suffices to satisfy the  
14 requirements of paragraph (c) of subsection (2) of this section.

15 **SECTION 5.** In Colorado Revised Statutes, 24-34-508, **add** (2)  
16 as follows:

17 **24-34-508. Relief authorized.** (2) IN ADDITION TO THE RELIEF  
18 AUTHORIZED BY THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, AN  
19 INDIVIDUAL WITH A DISABILITY WHO HAS SUFFERED AN UNFAIR HOUSING  
20 PRACTICE BASED ON HIS OR HER DISABILITY IS ENTITLED TO THE RELIEF SET  
21 FORTH IN SECTION 24-34-805.

22 **SECTION 6.** In Colorado Revised Statutes, 24-34-601, **amend**  
23 (2) as follows:

24 **24-34-601. Discrimination in places of public accommodation**  
25 **- definition.** (2) (a) It is a discriminatory practice and unlawful for a  
26 person, directly or indirectly, to refuse, withhold from, or deny to an  
27 individual or a group, because of disability, race, creed, color, sex, sexual



1 orientation, marital status, national origin, or ancestry, the full and equal  
2 enjoyment of the goods, services, facilities, privileges, advantages, or  
3 accommodations of a place of public accommodation or, directly or  
4 indirectly, to publish, circulate, issue, display, post, or mail any written,  
5 electronic, or printed communication, notice, or advertisement that  
6 indicates that the full and equal enjoyment of the goods, services,  
7 facilities, privileges, advantages, or accommodations of a place of public  
8 accommodation will be refused, withheld from, or denied an individual  
9 or that an individual's patronage or presence at a place of public  
10 accommodation is unwelcome, objectionable, unacceptable, or  
11 undesirable because of disability, race, creed, color, sex, sexual  
12 orientation, marital status, national origin, or ancestry.

13 (b) A CLAIM BROUGHT PURSUANT TO PARAGRAPH (a) OF THIS  
14 SUBSECTION (2) THAT IS BASED ON DISABILITY IS COVERED BY THE  
15 PROVISIONS OF SECTION 24-34-802.

16 **SECTION 7.** In Colorado Revised Statutes, 24-34-602, amend  
17 (1) as follows:

18 **24-34-602. Penalty and civil liability.** (1) (a) Any person who  
19 violates section 24-34-601 shall be fined not less than fifty dollars nor  
20 more than five hundred dollars for each violation. A person aggrieved by  
21 the violation of section 24-34-601 shall bring an action in any court of  
22 competent jurisdiction in the county where the violation occurred. Upon  
23 finding a violation, the court shall order the defendant to pay the fine to  
24 the aggrieved party.

25 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
26 THIS SUBSECTION (1), A PERSON WHO VIOLATES THE PROVISIONS OF  
27 SECTION 24-34-601 BASED ON A DISABILITY SHALL BE SUBJECT TO THE

1 PROVISIONS OF SECTION 24-34-802.

2 **SECTION 8.** In Colorado Revised Statutes, **amend** 24-34-703 as  
3 follows:

4 **24-34-703. Places of public accommodation - definition.** A  
5 place of public accommodation resort, or amusement, within the meaning  
6 of this part 7, shall be deemed to include any inn, tavern, or hotel,  
7 whether conducted for the entertainment, housing, or lodging of transient  
8 guests or for the benefit, use, or accommodation of those seeking health,  
9 recreation, or rest, and any restaurant, eating house, public conveyance on  
10 land or water, bathhouse, barber shop, theater, and music hall HAS THE  
11 SAME MEANING AS SET FORTH IN SECTION 24-34-301.

12 **SECTION 9.** In Colorado Revised Statutes, 24-34-801, **repeal**  
13 **and reenact, with amendments,** (1) as follows:

14 **24-34-801. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
15 DECLARES THAT IT IS THE POLICY OF THE STATE:

16 (a) TO ENCOURAGE AND ENABLE INDIVIDUALS WHO ARE VISUALLY  
17 OR HEARING IMPAIRED OR INDIVIDUALS WITH A DISABILITY TO  
18 PARTICIPATE FULLY IN SOCIAL, EMPLOYMENT, AND EDUCATIONAL  
19 OPPORTUNITIES, AS WELL AS OTHER ACTIVITIES IN OUR STATE ON THE  
20 SAME TERMS AND CONDITIONS AS INDIVIDUALS WITHOUT A DISABILITY;

21 (b) THAT INDIVIDUALS WHO ARE VISUALLY OR HEARING IMPAIRED  
22 OR INDIVIDUALS WITH A DISABILITY HAVE THE SAME RIGHTS AS  
23 INDIVIDUALS WITHOUT A DISABILITY TO THE FULL AND FREE USE OF THE  
24 STREETS, HIGHWAYS, SIDEWALKS, WALKWAYS, PUBLIC BUILDINGS, PUBLIC  
25 FACILITIES, AND OTHER PUBLIC PLACES;

26 (c) THAT INDIVIDUALS WHO ARE VISUALLY OR HEARING IMPAIRED  
27 OR INDIVIDUALS WITH A DISABILITY ARE ENTITLED TO FULL AND EQUAL

1 HOUSING ACCOMMODATIONS, FACILITIES, AND PRIVILEGES OF ALL  
2 COMMON CARRIERS, AIRPLANES, MOTOR VEHICLES, TRAINS, MOTOR BUSES,  
3 STREETCARS, BOATS, OR ANY OTHER PUBLIC CONVEYANCES OR MODES OF  
4 TRANSPORTATION, HOTELS, MOTELS, LODGING PLACES, PLACES OF PUBLIC  
5 ACCOMMODATION, AMUSEMENT, OR RESORT, AND OTHER PLACES TO  
6 WHICH THE GENERAL PUBLIC IS INVITED, INCLUDING RESTAURANTS AND  
7 GROCERY STORES; AND

8 (d) THAT INDIVIDUALS WHO ARE VISUALLY OR HEARING IMPAIRED  
9 OR INDIVIDUALS WITH A DISABILITY MUST NOT BE EXCLUDED, BY REASON  
10 OF HIS OR HER DISABILITY, FROM PARTICIPATION IN OR BE DENIED THE  
11 BENEFITS OF THE SERVICES, PROGRAMS, OR ACTIVITIES OF ANY PUBLIC  
12 ENTITY OR BE SUBJECT TO DISCRIMINATION BY ANY PUBLIC ENTITY.

13 **SECTION 10. In Colorado Revised Statutes, repeal and reenact,**  
14 **with amendments, 24-34-802 as follows:**

15 **24-34-802. Violations - penalties. (1) IT IS A DISCRIMINATORY**  
16 **PRACTICE AND UNLAWFUL FOR ANY PERSON TO DISCRIMINATE AGAINST**  
17 **ANY INDIVIDUAL OR GROUP BECAUSE SUCH PERSON OR GROUP HAS**  
18 **OPPOSED ANY PRACTICE MADE A DISCRIMINATORY PRACTICE BASED ON**  
19 **DISABILITY PURSUANT TO PART 5, 6, OR 8 OF THIS ARTICLE, OR BECAUSE**  
20 **SUCH PERSON OR GROUP HAS MADE A CHARGE, TESTIFIED, ASSISTED, OR**  
21 **PARTICIPATED IN ANY MANNER IN AN INVESTIGATION, PROCEEDING, OR**  
22 **HEARING CONDUCTED PURSUANT TO PART 5, 6, OR 8 OF THIS ARTICLE.**

23 **(2) (a) A QUALIFIED INDIVIDUAL WITH A DISABILITY, AS DEFINED**  
24 **IN SECTION 24-34-301 (5.6), WHO IS SUBJECT TO A VIOLATION OF**  
25 **SUBSECTION (1) OF THIS SECTION OR OF SECTION 24-34-502, 24-34-502.2,**  
26 **OR 24-34-601 BASED ON HIS OR HER DISABILITY MAY BRING A CIVIL SUIT**  
27 **IN A COURT OF COMPETENT JURISDICTION AND IS ENTITLED TO ANY OF THE**

1 FOLLOWING REMEDIES:

2 (I) A COURT ORDER REQUIRING COMPLIANCE WITH THE PROVISIONS  
3 OF THE APPLICABLE SECTION;

4 (II) THE RECOVERY OF ACTUAL MONETARY DAMAGES; OR

5 (III) A STATUTORY FINE NOT TO EXCEED THREE THOUSAND FIVE  
6 HUNDRED DOLLARS.

7 (b) FOR A CLAIM BROUGHT PURSUANT TO PARAGRAPH (a) OF THIS  
8 SUBSECTION FOR A CONSTRUCTION-RELATED ACCESSIBILITY VIOLATION,  
9 THE VIOLATION MUST BE CONSIDERED A SINGLE INCIDENT AND NOT AS  
10 SEPARATE VIOLATIONS FOR EACH DAY THE CONSTRUCTION-RELATED  
11 ACCESSIBILITY VIOLATION EXISTS.

12 (c) (I) A SMALL BUSINESS DEFENDANT IS ENTITLED TO A FIFTY  
13 PERCENT REDUCTION IN A STATUTORY FINE ASSESSED PURSUANT TO  
14 SUBPARAGRAPH (III) OF PARAGRAPH (a) OF THIS SUBSECTION (2) IF IT  
15 CORRECTS THE ACCESSIBILITY VIOLATION WITHIN THIRTY DAYS AFTER THE  
16 FILING OF THE COMPLAINT. THE FIFTY PERCENT REDUCTION IN A  
17 STATUTORY FINE DOES NOT APPLY, HOWEVER, IF THE DEFENDANT  
18 KNOWINGLY OR INTENTIONALLY MADE OR CAUSED TO HAVE MADE THE  
19 ACCESS BARRIER THAT CAUSED THE ACCESSIBILITY VIOLATION.

20 (II) FOR PURPOSES OF THIS PARAGRAPH (c), "SMALL BUSINESS"  
21 MEANS AN EMPLOYER WITH TWENTY-FIVE OR FEWER EMPLOYEES AND NO  
22 MORE THAN THREE MILLION FIVE HUNDRED THOUSAND DOLLARS IN  
23 ANNUAL GROSS INCOME.

24 (III) NOTHING IN THIS PARAGRAPH (c) MAY BE INTERPRETED TO  
25 RESULT IN A REDUCTION IN ACTUAL MONETARY DAMAGES AWARDED  
26 PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION  
27 (2).

1           (3) AN AWARD OF ATTORNEY FEES AND COSTS PURSUANT TO  
2           SECTION 24-34-505.6 (6) (b) APPLIES TO CLAIMS BROUGHT PURSUANT TO  
3           THIS SECTION.

4           (4) A COURT THAT HEARS CIVIL SUITS PURSUANT TO THIS SECTION  
5           SHALL APPLY THE SAME STANDARDS AND DEFENSES THAT ARE AVAILABLE  
6           UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42  
7           U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND  
8           IMPLEMENTING REGULATIONS.

9           **SECTION 11. In Colorado Revised Statutes, repeal and reenact,**  
10          **with amendments, 24-34-803 as follows:**

11          **24-34-803. Rights of individuals with service animals. (1) A**  
12          QUALIFIED INDIVIDUAL WITH A DISABILITY HAS THE RIGHT TO BE  
13          ACCOMPANIED BY A SERVICE ANIMAL INDIVIDUALLY TRAINED FOR THAT  
14          INDIVIDUAL WITHOUT BEING REQUIRED TO PAY AN EXTRA CHARGE FOR THE  
15          SERVICE ANIMAL IN OR ON THE FOLLOWING PLACES OR DURING THE  
16          FOLLOWING ACTIVITIES AND SUBJECT TO THE CONDITIONS AND  
17          LIMITATIONS ESTABLISHED BY LAW AND APPLICABLE ALIKE TO ALL  
18          INDIVIDUALS:

19                (a) ANY PLACE OF EMPLOYMENT, HOUSING, OR PUBLIC  
20                ACCOMMODATION;

21                (b) ANY PROGRAMS, SERVICES, OR ACTIVITIES CONDUCTED BY A  
22                PUBLIC ENTITY;

23                (c) ANY PUBLIC TRANSPORTATION SERVICE; OR

24                (d) ANY OTHER PLACE OPEN TO THE PUBLIC.

25                (2) A TRAINER OF A SERVICE ANIMAL, OR AN INDIVIDUAL WITH A  
26                DISABILITY ACCOMPANIED BY AN ANIMAL THAT IS BEING TRAINED TO BE  
27                A SERVICE ANIMAL, HAS THE RIGHT TO BE ACCOMPANIED BY THE SERVICE

1 ANIMAL IN TRAINING WITHOUT BEING REQUIRED TO PAY AN EXTRA  
2 CHARGE FOR THE SERVICE ANIMAL IN TRAINING IN OR ON THE FOLLOWING  
3 PLACES OR DURING THE FOLLOWING ACTIVITIES:

4 (a) ANY PLACE OF EMPLOYMENT, HOUSING, OR PUBLIC  
5 ACCOMMODATION;

6 (b) ANY PROGRAMS, SERVICES, OR ACTIVITIES CONDUCTED BY A  
7 PUBLIC ENTITY;

8 (c) ANY PUBLIC TRANSPORTATION SERVICE; OR

9 (d) ANY OTHER PLACE OPEN TO THE PUBLIC.

10 (3) (a) AN EMPLOYER SHALL ALLOW AN EMPLOYEE WITH A  
11 DISABILITY WHO IS ACCOMPANIED BY A SERVICE ANIMAL TO KEEP THE  
12 EMPLOYEE'S SERVICE ANIMAL WITH THE EMPLOYEE AT ALL TIMES IN THE  
13 PLACE OF EMPLOYMENT. AN EMPLOYER SHALL NOT FAIL OR REFUSE TO  
14 HIRE OR DISCHARGE ANY INDIVIDUAL WITH A DISABILITY, OR OTHERWISE  
15 DISCRIMINATE AGAINST ANY INDIVIDUAL WITH A DISABILITY, WITH  
16 RESPECT TO COMPENSATION, TERMS, CONDITIONS, OR PRIVILEGES OF  
17 EMPLOYMENT BECAUSE THAT INDIVIDUAL WITH A DISABILITY IS  
18 ACCOMPANIED BY A SERVICE ANIMAL INDIVIDUALLY TRAINED FOR THAT  
19 INDIVIDUAL.

20 (b) AN EMPLOYER SHALL MAKE REASONABLE ACCOMMODATION TO  
21 MAKE THE WORKPLACE ACCESSIBLE FOR AN OTHERWISE QUALIFIED  
22 INDIVIDUAL WITH A DISABILITY WHO IS AN APPLICANT OR EMPLOYEE AND  
23 WHO IS ACCOMPANIED BY A SERVICE ANIMAL INDIVIDUALLY TRAINED FOR  
24 THAT INDIVIDUAL UNLESS THE EMPLOYER CAN SHOW THAT THE  
25 ACCOMMODATION WOULD IMPOSE AN UNDUE HARDSHIP ON THE  
26 EMPLOYER'S BUSINESS. FOR PURPOSES OF THIS PARAGRAPH (b), "UNDUE  
27 HARDSHIP" AND "REASONABLE ACCOMMODATION" HAVE THE SAME

1 MEANING AS SET FORTH IN TITLE I OF THE FEDERAL "AMERICANS WITH  
2 DISABILITIES ACT OF 1990", 42 U.S.C. SEC 12101 ET SEQ., AND ITS  
3 RELATED AMENDMENTS AND IMPLEMENTING REGULATIONS.

4 (4) THE OWNER OR INDIVIDUAL WITH A DISABILITY WHO HAS  
5 CONTROL OR CUSTODY OF A SERVICE ANIMAL OR THE TRAINER OF A  
6 SERVICE ANIMAL IS LIABLE FOR ANY DAMAGE TO PERSONS, PREMISES, OR  
7 FACILITIES, INCLUDING PLACES OF HOUSING, PLACES OF PUBLIC  
8 ACCOMMODATION, AND PLACES OF EMPLOYMENT, CAUSED BY THAT  
9 INDIVIDUAL'S SERVICE ANIMAL OR SERVICE ANIMAL IN TRAINING. THE  
10 INDIVIDUAL WHO HAS CONTROL OR CUSTODY OF A SERVICE ANIMAL OR A  
11 SERVICE ANIMAL IN TRAINING IS SUBJECT TO THE PROVISIONS OF SECTION  
12 18-9-204.5, C.R.S.

13 (5) AN INDIVIDUAL WITH A DISABILITY WHO OWNS A SERVICE  
14 ANIMAL IS EXEMPT FROM ANY STATE OR LOCAL LICENSING FEES OR  
15 CHARGES THAT MIGHT OTHERWISE APPLY IN CONNECTION WITH OWNING  
16 A SIMILAR ANIMAL.

17 (6) THE MERE PRESENCE OF A SERVICE ANIMAL IN A PLACE OF  
18 PUBLIC ACCOMMODATION IS NOT GROUNDS FOR ANY VIOLATION OF A  
19 SANITARY STANDARD, RULE, OR REGULATION PROMULGATED PURSUANT  
20 TO SECTION 25-4-1604, C.R.S.

21 **SECTION 12.** In Colorado Revised Statutes, 24-34-804, amend  
22 (1) and (3) (a); and add (3) (c) as follows:

23 **24-34-804. Service animals - violations - penalties.** (1) It is  
24 unlawful for any person, firm, corporation, or agent of any person, firm,  
25 or corporation to:

26 (a) Withhold, deny, deprive, or attempt to withhold, deny, or  
27 deprive any person A QUALIFIED INDIVIDUAL with a disability WHO IS

1 ACCOMPANIED BY A SERVICE ANIMAL OR A TRAINER OF A SERVICE ANIMAL  
2 OF ANY OF THE RIGHTS OR PRIVILEGES SECURED IN SECTION 24-34-803;

3 (b) Threaten to interfere with any of the rights of persons with  
4 disabilities or trainers A QUALIFIED INDIVIDUAL WITH A DISABILITY WHO  
5 IS ACCOMPANIED BY A SERVICE ANIMAL OR A TRAINER OF A SERVICE  
6 ANIMAL SECURED IN SECTION 24-34-803;

7 (c) Punish or attempt to punish any person A QUALIFIED  
8 INDIVIDUAL WITH A DISABILITY WHO IS ACCOMPANIED BY A SERVICE ANIMAL  
9 OR A TRAINER OF A SERVICE ANIMAL FOR EXERCISING OR ATTEMPTING TO EXERCISE  
10 ANY RIGHT OR PRIVILEGE SECURED BY SECTION 24-34-803; OR

11 (d) Interfere with, injure, or harm, or cause another dog to  
12 interfere with, injure, or harm, an assistance dog A SERVICE ANIMAL.

13 (3) (a) Any EXCEPT AS PROVIDED FOR IN SUBPARAGRAPHS (I) AND  
14 (II) OF THIS PARAGRAPH (a), A PERSON WHO VIOLATES ANY PROVISION OF  
15 SUBSECTION (1) OF THIS SECTION SHALL BE IS LIABLE TO THE PERSON QUALIFIED  
16 INDIVIDUAL WITH A DISABILITY WHO IS ACCOMPANIED BY A SERVICE ANIMAL  
17 OR A TRAINER OF A SERVICE ANIMAL WHOSE RIGHTS WERE AFFECTED FOR ACTUAL  
18 DAMAGES FOR ECONOMIC LOSS, TO BE RECOVERED IN A CIVIL ACTION IN A COURT IN  
19 THE COUNTY WHERE THE INFRINGEMENT OF RIGHTS OCCURRED OR WHERE THE  
20 DEFENDANT RESIDES.

21 (I) A PERSON WHO WILLFULLY OR WANTONLY CAUSES HARM TO A  
22 SERVICE ANIMAL OR A SERVICE ANIMAL IN TRAINING IS LIABLE TO THE  
23 LEGAL OWNER OF THE SERVICE ANIMAL OR SERVICE ANIMAL IN TRAINING  
24 FOR TREBLE THE AMOUNT OF ACTUAL DAMAGES.

25 (II) THE LEGAL OWNER OF AN ANIMAL THAT IS WILLFULLY OR  
26 WANTONLY ALLOWED TO CAUSE HARM TO A SERVICE ANIMAL OR A  
27 SERVICE ANIMAL IN TRAINING IS LIABLE TO THE LEGAL OWNER OF THE



1 SERVICE ANIMAL OR SERVICE ANIMAL IN TRAINING FOR TREBLE THE  
2 AMOUNT OF ACTUAL DAMAGES.

3 (c) AN ANIMAL CARE OR CONTROL AGENCY IS EXEMPT FROM THE  
4 PROVISIONS OF THIS SUBSECTION (3) IF, AFTER A GOOD FAITH EFFORT, THE  
5 AGENCY IS UNAWARE THAT THE ANIMAL IS A SERVICE ANIMAL.

6 **SECTION 13.** In Colorado Revised Statutes, 18-13-107, amend  
7 (1) and (3) as follows:

8 **18-13-107. Interference with persons with disabilities.** (1) No  
9 person, except one wholly or partially blind, or wholly or partially deaf,  
10 or both wholly or partially blind and wholly or partially deaf, shall carry,  
11 hold, or use upon any street, highway, sidewalk, or any other public place  
12 a cane or walking stick which is white or white tipped with red or metallic  
13 in color or a leash blaze orange in color on any dog accompanying such  
14 person A PERSON SHALL NOT FALSELY IMPERSONATE AN INDIVIDUAL WITH  
15 A DISABILITY, AS THAT TERM IS DEFINED IN SECTION 24-34-301 (5.6),  
16 C.R.S.

17 (3) No person shall beat, harass, intimidate, entice, distract, or  
18 otherwise interfere with any dog on a blaze orange leash or accompanying  
19 a person carrying a white or white tipped with red or metallic colored  
20 cane or walking stick or any assistance dog, as defined in section  
21 24-34-803 (7), C.R.S., accompanying a person when that dog is being  
22 controlled by or wearing a harness normally used for dogs accompanying  
23 or leading persons with disabilities A PERSON SHALL NOT KNOWINGLY  
24 DENY AN INDIVIDUAL WITH A DISABILITY, AS DEFINED IN SECTION  
25 24-34-301 (5.6), C.R.S., ANY RIGHT OR PRIVILEGE PROTECTED IN SECTION  
26 24-34-502, 24-34-502.2, 24-34-601, 24-34-802 (1), OR 24-34-803, C.R.S.

27 **SECTION 14.** In Colorado Revised Statutes, 10-16-413.5,

1 amend (1) (b), (1) (d), and (1) (e) as follows:

2 **10-16-413.5. Return to home - legislative declaration.** (1) The  
3 general assembly hereby finds that:

4 (b) Elderly ~~INDIVIDUALS and disabled persons~~ INDIVIDUALS WITH  
5 DISABILITIES select particular facilities because of proximity to family and  
6 friends, religious affiliation, reputation in the community, or the security  
7 offered in a particular setting;

8 (d) Requiring an elderly INDIVIDUAL or ~~disabled person~~ AN  
9 INDIVIDUAL WITH A DISABILITY to move into an unfamiliar environment  
10 can be traumatic and have an adverse effect on the person's psychological,  
11 social, and physical well-being;

12 (e) Elderly ~~and disabled persons~~ INDIVIDUALS AND INDIVIDUALS  
13 WITH DISABILITIES who require hospitalization need to be able to "return  
14 to home" without interference from health care coverage providers, if the  
15 facility is able to provide the needed services and is willing to accept  
16 payment on the same terms as a network provider.

17 **SECTION 15.** In Colorado Revised Statutes, 12-9-107, **amend**  
18 (27) as follows:

19 **12-9-107. Persons permitted to conduct games of chance -**  
20 **premises - equipment - expenses - rules.** (27) ~~No~~ AN operator shall NOT  
21 reserve or allow to be reserved any bingo cards for use by players except  
22 braille cards or other cards for use by legally blind players. A PERSON  
23 WHO IS legally blind ~~players~~ may use ~~their~~ HIS OR HER personal braille  
24 cards when a licensed organization does not provide such cards. A  
25 licensed organization has the right to inspect and to reject any personal  
26 braille card. A PERSON WHO IS legally blind or ~~disabled person~~ AN  
27 INDIVIDUAL WITH A DISABILITY may use a braille card or hard card in

1 place of a purchased disposable paper bingo card.

2 **SECTION 16.** In Colorado Revised Statutes, 13-71-105, amend  
3 (2) (d) as follows:

4 **13-71-105. Qualifications for juror service.** (2) A prospective  
5 trial or grand juror shall be disqualified, based on the following grounds:

6 (d) Sole responsibility for the daily care of a permanently disabled  
7 person AN INDIVIDUAL WITH A PERMANENT DISABILITY living in the same  
8 household to the extent that the performance of juror service would cause  
9 a substantial risk of injury to the health of the disabled person INDIVIDUAL  
10 WITH A DISABILITY. Jurors who are regularly employed at a location other  
11 than their households may not be disqualified for this reason. Any person  
12 claiming this disqualification shall, if the jury commissioner requests it,  
13 submit a letter from a licensed physician, licensed advanced practice  
14 nurse, or authorized Christian science practitioner stating the name,  
15 address, and age of the disabled person INDIVIDUAL WITH A DISABILITY,  
16 the nature of care provided by the prospective juror, and an opinion that  
17 the performance of juror service would cause a substantial risk of injury  
18 to the disabled person INDIVIDUAL WITH A DISABILITY.

19 **SECTION 17.** In Colorado Revised Statutes, amend 15-16-307  
20 as follows:

21 **15-16-307. Limitations on proceedings against trustees after**  
22 **final account.** Unless previously barred by adjudication, consent, or  
23 limitation, any claim against a trustee for breach of trust is barred as to  
24 any beneficiary who has received a final account or other statement fully  
25 disclosing the matter and showing termination of the trust relationship  
26 between the trustee and the beneficiary unless a proceeding to assert the  
27 claim is commenced within six months after receipt of the final account

1 or statement. In any event and notwithstanding lack of full disclosure, an  
2 action for breach of trust against a trustee who has issued a final account  
3 or statement received by the beneficiary and has informed the beneficiary  
4 of the location and availability of records for his OR HER examination  
5 shall MUST be brought within the time period prescribed in section  
6 13-80-101, C.R.S. A beneficiary is deemed to have received a final  
7 account or statement if, being an adult, it is received by him OR HER  
8 personally or if, being a minor or ~~disabled person~~ AN INDIVIDUAL WITH A  
9 DISABILITY, it is received by his OR HER representative as described in  
10 section 15-10-403.

11 **SECTION 18.** In Colorado Revised Statutes, 23-71-122, amend  
12 (1) introductory portion and (1) (s) as follows:

13 **23-71-122. Junior college board of trustees - specific powers**  
14 **- rules - definitions.** (1) In addition to any other power granted by law  
15 to a board of trustees of a junior college district, each board shall have  
16 HAS the power to:

17 (s) Cooperate with the state board for community colleges and  
18 occupational education in carrying out the provisions of the national and  
19 state vocational education and rehabilitation acts, or amendments thereto,  
20 or any such acts providing for vocational education or vocational  
21 rehabilitation of ~~physically disabled persons~~ INDIVIDUALS WITH  
22 DISABILITIES;

23 **SECTION 19.** In Colorado Revised Statutes, 25.5-5-202, amend  
24 (1) (c) (I) and (1) (c) (II) as follows:

25 **25.5-5-202. Basic services for the categorically needy - optional**  
26 **services - repeal.** (1) Subject to the provisions of subsection (2) of this  
27 section, the following are services for which federal financial

1 participation is available and which Colorado has selected to provide as  
2 optional services under the medical assistance program:

3 (c) Home- and community-based services, as specified in article  
4 6 of this title, which include:

5 (I) Home- and community-based services for INDIVIDUALS WHO  
6 ARE elderly OR blind and ~~disabled persons~~ INDIVIDUALS WITH  
7 DISABILITIES, as specified in part 3 of article 6 of this title;

8 (II) Home- and community-based services for ~~developmentally~~  
9 ~~disabled persons~~ WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES,  
10 as specified in part 4 of article 6 of this title;

11 **SECTION 20.** In Colorado Revised Statutes, **amend 31-10-1514**  
12 as follows:

13 **31-10-1514. Revealing how elector voted.** Any election official,  
14 watcher, or person who assists a ~~disabled person~~ AN INDIVIDUAL WITH A  
15 DISABILITY in voting AND who reveals how a voter has THE INDIVIDUAL  
16 WITH A DISABILITY voted commits a misdemeanor and, upon conviction  
17 thereof, shall be punished as provided in section 31-10-1504.

18 **SECTION 21.** In Colorado Revised Statutes, 31-30.5-702,  
19 **amend (1) as follows:**

20 **31-30.5-702. Police officers' old hire pension plans -**  
21 **municipalities under one hundred thousand in population.** (1) If any  
22 AN old hire member of any police department in a municipality having a  
23 population of less than one hundred thousand, while in the performance  
24 of the member's duty or by reason of service in such department, becomes  
25 physically or mentally disabled and such disability is deemed to be of a  
26 temporary nature, ~~said~~ THE board of trustees shall retire ~~such disabled~~  
27 ~~person~~ THE INDIVIDUAL WITH A DISABILITY and shall authorize the

1 payment to such ~~person~~ INDIVIDUAL, monthly, of an amount from the  
2 pension fund equal to the monthly compensation paid any such member  
3 as salary at the date of such disability, not to exceed a period of one year.  
4 For the purpose of determining the physical or mental disability of any  
5 such member, the board of trustees may personally examine the member  
6 or may appoint one or more physicians or surgeons to make an  
7 examination of the member and report their findings to the board, which  
8 report may be taken into consideration in determining whether said THE  
9 member is ~~physically or mentally disabled~~ HAS A PHYSICAL OR MENTAL  
10 DISABILITY.

11 **SECTION 22.** In Colorado Revised Statutes, 33-14.5-101,  
12 **amend** (3) (e) as follows:

13 **33-14.5-101. Definitions.** As used in this article, unless the  
14 context otherwise requires:

15 (3) "Off-highway vehicle" means any self-propelled vehicle which  
16 is designed to travel on wheels or tracks in contact with the ground, which  
17 is designed primarily for use off of the public highways, and which is  
18 generally and commonly used to transport persons for recreational  
19 purposes. "Off-highway vehicle" does not include the following:

20 (e) ~~Vehicles designed and used to carry disabled persons~~  
21 INDIVIDUALS WITH DISABILITIES;

22 **SECTION 23.** In Colorado Revised Statutes, 39-3-112, **amend**  
23 (1) (a.5) as follows:

24 **39-3-112. Definitions - residential property - orphanage -**  
25 **low-income elderly or individuals with disabilities - homeless or**  
26 **abused - low-income households - charitable purposes - exemption -**  
27 **limitations.** (1) As used in this section, unless the context otherwise

1 requires:

2 (a.5) "Elderly or disabled low-income residential facility" means  
3 a facility, a portion of which is operated as a residential facility for elderly  
4 INDIVIDUALS or ~~disabled persons~~ INDIVIDUALS WITH DISABILITIES who  
5 meet the requirements of sub-subparagraph (A) of subparagraph (II) of  
6 paragraph (a) of subsection (3) of this section, which portion houses only  
7 such persons, exclusive of necessary housing facilities for resident  
8 managerial personnel, and the rest of which is operated as a health care  
9 facility which is licensed by the state of Colorado.

10 **SECTION 24.** In Colorado Revised Statutes, **amend 40-9-109** as  
11 follows:

12 **40-9-109. Transportation of service animals accompanying**  
13 **individuals with disabilities.** When a ~~totally or partially blind, totally or~~  
14 ~~partially deaf, or physically disabled person~~ AN INDIVIDUAL WITH A  
15 ~~DISABILITY~~ is accompanied by a ~~dog which serves as an assistance dog~~ A  
16 ~~SERVICE ANIMAL~~ or which is being trained by a ~~qualified trainer as an~~  
17 ~~assistance dog~~ AS A SERVICE ANIMAL, as defined in section ~~24-34-803 (7)~~  
18 ~~24-34-301, C.R.S., for such disabled person~~ INDIVIDUAL WITH A  
19 ~~DISABILITY, neither the disabled person nor the dog~~ INDIVIDUAL WITH A  
20 ~~DISABILITY~~ NOR THE SERVICE ANIMAL shall be denied the facilities of any  
21 ~~common carrier, nor shall such disabled person~~ THE INDIVIDUAL WITH A  
22 ~~DISABILITY~~ be denied the immediate custody of the ~~dog~~ SERVICE ANIMAL  
23 while riding upon a common carrier. The provisions of this section ~~shall~~  
24 also apply to ~~any qualified~~ A trainer who is training a ~~dog~~ OF A SERVICE  
25 ~~ANIMAL, AS DEFINED IN SECTION 24-34-301, C.R.S., for use by a totally or~~  
26 ~~partially blind, totally or partially deaf, or physically disabled person~~  
27 ~~QUALIFIED~~ INDIVIDUAL WITH A DISABILITY, unless the ~~dog~~ SERVICE

1 ANIMAL presents an imminent danger to the public health or safety. Such  
2 disabled person or any qualified trainer who is training a dog for use by  
3 a disabled person THE INDIVIDUAL WITH A DISABILITY OR THE TRAINER OF  
4 THE SERVICE ANIMAL shall be liable for any damage done to the premises  
5 or facilities of the common carrier by such dog. Any dog THE SERVICE  
6 ANIMAL. AN ANIMAL being INDIVIDUALLY trained for the purpose of  
7 aiding a disabled person AN INDIVIDUAL WITH A DISABILITY shall be  
8 visibly and prominently identified as an assistance dog A SERVICE ANIMAL  
9 in training.

10 **SECTION 25.** In Colorado Revised Statutes, 42-4-808, amend  
11 (1) as follows:

12 **42-4-808. Drivers and pedestrians, other than persons in**  
13 **wheelchairs, to yield to individuals with disabilities.** (1) Any  
14 pedestrian, other than a person in a wheelchair, or any driver of a vehicle  
15 who approaches a person AN INDIVIDUAL who has an obviously apparent  
16 disability of blindness, deafness, or mobility impairment shall  
17 immediately come to a full stop and take such precautions before  
18 proceeding as are necessary to avoid an accident or injury to said person  
19 INDIVIDUAL. A disability shall be deemed to be obviously apparent if, by  
20 way of example and without limitation, the person INDIVIDUAL is using  
21 a cane or crutches MOBILITY DEVICE, is assisted by an assistance dog A  
22 SERVICE ANIMAL, as defined in section 24-34-803 (7) 24-34-301, C.R.S.,  
23 is being assisted by another person, is in a wheelchair, or is walking with  
24 an obvious physical impairment. Any person who violates any provision  
25 of this section commits a class A traffic offense.

26 **SECTION 26. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the



1 ninety-day period after final adjournment of the general assembly (August  
2 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2014 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.