

SBxxx_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, and Technology.

SB13-xxx be amended as follows:

1 Amend LLS No. 13-0152.01, page 3, line 24, after "**amend**" insert "(2)
2 and".

3 Page 4, after line 1 insert:

4 "(2) "Certificate" means the media issued by the board to evidence
5 licensing of a professional engineer. A CERTIFICATE MAY BE ISSUED IN
6 ELECTRONIC FORM."

7 Page 6, after line 14, insert:

8 "**SECTION 7.** In Colorado Revised Statutes, 12-25-107, **amend**
9 (1) (g), (1) (i), and (1) (j) as follows:

10 **12-25-107. Powers and duties of the board.** (1) In order to carry
11 into effect the provisions of this part 1, the board shall:

12 (g) Provide for ~~written~~ examinations in the "fundamentals of
13 engineering" and the "principles and practice of engineering".
14 Examinations shall be given as often as practicable, EITHER ON LINE OR
15 at such locations as the board shall determine. The board shall ensure that
16 the passing score for any examination ~~shall be~~ IS set to measure the level
17 of minimum competency. An applicant who fails to pass the prescribed
18 examination may be reexamined. ~~at the next regularly scheduled~~
19 ~~examination.~~

20 (i) Hold at least six regular meetings each year. Special meetings
21 shall be held at such times as the bylaws of the board may provide. The
22 board shall elect annually a ~~chairman~~ CHAIR, a ~~vice-chairman~~ VICE-CHAIR,
23 and a secretary. A quorum of the board shall consist of not less than ~~five~~
24 SEVEN members.

25 (j) Participate in the affairs of the national council of ~~engineering~~
26 examiners FOR ENGINEERING AND SURVEYING and send a minimum of one
27 delegate to the national meeting annually."

28 Renumber succeeding sections accordingly.

29 Page 6, line 16, after "**amend**" insert "(1) introductory portion, (1) (a),".

30 Page 6, strike line 22 and substitute "engineer-intern ~~who is found guilty~~
31 ~~of~~ FOR:

32 (a) Engaging in fraud, misrepresentation, or deceit in obtaining or
33 attempting to obtain a ~~certificate of licensure~~ LICENSE or enrollment;"

34 Page 7, after line 24 insert:

1 **"SECTION 9.** In Colorado Revised Statutes, 12-25-109, **amend**
2 (8.2) (a), (8.4) (a), (8.4) (c) (III), (8.5), and (12) as follows:

3 **12-25-109. Disciplinary proceedings - injunctive relief**
4 **procedure.** (8.2) (a) If it appears to the board, based upon credible
5 evidence as presented in a written complaint by any person, that a
6 licensee or registrant is acting in a manner that is an imminent threat to
7 the health and safety of the public or a person is acting or has acted
8 without the required license, ~~or registration~~, the board may issue an order
9 to cease and desist such activity. The order shall set forth the statutes and
10 rules alleged to have been violated, the facts alleged to have constituted
11 the violation, and the requirement that all unlawful acts or unlicensed or
12 unregistered practices immediately cease.

13 (8.4) (a) If it appears to the board, based upon credible evidence
14 as presented in a written complaint by any person, that a person has
15 violated any other portion of this part 1, then, in addition to any specific
16 powers granted pursuant to this part 1, the board may issue to such person
17 an order to show cause as to why the board should not issue a final order
18 directing such person to cease and desist from the unlawful act or
19 unlicensed ~~or unregistered~~ practice.

20 (c) (III) If the board reasonably finds that the person against
21 whom the order to show cause was issued is acting or has acted without
22 the required license ~~or registration~~ or has or is about to engage in acts or
23 practices constituting violations of this part 1, a final cease-and-desist
24 order may be issued directing such person to cease and desist from further
25 unlawful acts or unlicensed ~~or unregistered~~ PRACTICE.

26 (8.5) If it appears to the board, based upon credible evidence
27 presented to the board, that a person has engaged in or is about to engage
28 in any unlicensed ~~or unregistered~~ act or practice, any act or practice
29 constituting a violation of this part 1, any rule promulgated pursuant to
30 this part 1, any order issued pursuant to this part 1, or any act or practice
31 constituting grounds for administrative sanction pursuant to this part 1,
32 the board may enter into a stipulation with such person.

33 (12) When a complaint or investigation discloses an instance of
34 conduct that does not warrant formal action by the board and, in the
35 opinion of the board, the complaint should be dismissed, but the board
36 has noticed indications of possible errant conduct by the licensee ~~or~~
37 ~~registrant~~ that could lead to serious consequences if not corrected, a
38 confidential letter of concern may be issued and sent to the licensee or
39 registrant.

40 **SECTION 10.** In Colorado Revised Statutes, 12-25-110, **amend**
41 (1) as follows:

42 **12-25-110. Application for license.** (1) The board shall prescribe

1 and furnish ~~application forms~~ THE MEANS BY WHICH A PERSON MAY APPLY
2 FOR LICENSURE. All applications ~~shall~~ MUST be made under oath and ~~shall~~
3 ~~be~~ accompanied by the appropriate fee. Each application ~~shall~~ MUST
4 contain a statement indicating whether the applicant has ever been
5 convicted of a felony in this or any other state, or has ever had a license
6 to practice engineering revoked or suspended in this or any other state.
7 Applications that are not complete ~~shall be deemed~~ ARE defective and
8 ~~shall~~ MAY not be accepted by the board. The board shall take no action on
9 defective applications, except to give notice to the applicant of defects.
10 The board shall retain all fees submitted with applications, whether or not
11 ~~such~~ THE applications are acted upon.

12 **SECTION 11.** In Colorado Revised Statutes, 12-25-114, **amend**
13 (4) (b) (II) as follows:

14 **12-25-114. Qualifications for professional engineer.**
15 (4) (b) (II) For any professional engineer who has been retired for two or
16 more years, the board may require reexamination ~~or recertification~~, unless
17 the board is satisfied of such retired professional engineer's continued
18 competence.".

19 Renumber succeeding sections accordingly.

20 Page 7, line 26, after "**amend**" insert "(1), (2), (4), and".

21 Page 8, strike line 1 and substitute:

22 **"12-25-115. Licenses - certificates.** (1) The board, upon
23 acceptance of an applicant who has demonstrated competence in
24 professional engineering and upon receipt of payment of the required fee,
25 shall license and issue a ~~numbered certificate of licensure~~ UNIQUE
26 LICENSE NUMBER to said applicant.

27 (2) The board, upon acceptance of a qualified engineer-intern and
28 upon receipt of payment of the required fee, shall ~~certify said~~ LICENSE THE
29 applicant.

30 (4) Licenses ~~and registrations~~ shall be renewed or reinstated
31 pursuant to a schedule established by the director of the division of
32 professions and occupations within the department of regulatory agencies
33 and shall be renewed or reinstated pursuant to section 24-34-102 (8),
34 C.R.S. The director of the division of professions and occupations within
35 the department of regulatory agencies may establish renewal fees and
36 delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S.
37 If a person fails to renew his or her license or registration pursuant to the
38 schedule established by the director of the division of professions and
39 occupations, such license or registration shall expire. Any person whose

1 license or registration has expired shall be subject to the penalties
2 provided in this article or section 24-34-102 (8), C.R.S.

3 (7) A professional engineer".

4 Page 8, after line 3, insert:

5 "SECTION 13. In Colorado Revised Statutes, 12-25-116, **amend**
6 (1) (a) (II) and (1) (a) (V) as follows:

7 **12-25-116. Fees - disposition.** (1) Pursuant to section 24-34-105,
8 C.R.S., the board shall charge and collect fees for the following:

9 (a) With respect to professional engineers:

10 (II) Replacement of a ~~license or a PAPER~~ certificate of licensure,
11 IF REQUESTED BY THE LICENSEE;

12 (V) Issuance of a PAPER certificate of licensure, ~~as a professional~~
13 ~~engineer~~ IF REQUESTED BY THE LICENSEE;"

14 Renumber succeeding sections accordingly.

15 Page 8, line 15, after "**amend**" insert "(3), (3.5), and".

16 Page 8, after line 18, insert:

17 "(3) "Certificate" means the media issued by the board under seal
18 to evidence licensing or enrollment. A CERTIFICATE MAY BE ISSUED IN
19 ELECTRONIC FORM.

20 (3.5) "Land surveyor-intern" means an individual ~~certified~~
21 ENROLLED by the board after demonstrating such individual's competency,
22 as required by section 12-25-212."

23 Page 10, after line 10, insert:

24 "SECTION 19. In Colorado Revised Statutes, 12-25-207, **amend**
25 (1) (b), (1) (c) introductory portion, and (1) (e) as follows:

26 **12-25-207. Powers and duties of the board.** (1) In order to carry
27 into effect this part 2, the board shall:

28 (b) Require each applicant for licensing ~~or certification~~ to
29 demonstrate competence by means of examination and education and may
30 require work examples as it deems necessary and sufficient for licensing;
31 ~~or certification;~~

32 (c) Keep a record of its proceedings and of all applications for
33 licensing ~~or certification~~ under this part 2. The application record for each
34 applicant shall include:

35 (e) Provide for and administer ~~written~~ examinations to be given

1 as often as practicable, EITHER ON LINE OR at such times and locations as
2 the board shall designate. ~~Written examination papers shall~~
3 EXAMINATIONS MUST be identified only by numbers and ~~shall be~~
4 anonymously graded. After ~~review and approval by the board, all~~
5 REVIEWING AND APPROVING THE examination results, THE BOARD shall ~~be~~
6 ~~recorded~~; RECORD and COMMUNICATE each examinee's examination
7 results ~~shall be sent to such~~ THE examinee. ~~by first-class mail.~~ The board
8 shall ensure that the passing score on surveying examinations ~~shall be~~ IS
9 set to measure the level of minimum competency. The board shall publish
10 and make available to interested applicants a list of the subjects included
11 in the surveying examinations that are developed by the board, such
12 subjects being consistent with and related to the various aspects of
13 surveying."

14 Renumber succeeding sections accordingly.

15 Page 10, line 13, strike "(1) (i)," and substitute "(1) introductory portion,
16 (1) (i), (1) (o),".

17 Page 10, strike line 18 and substitute "surveyor-intern who is found guilty
18 of FOR:".

19 Page 10, after line 22 insert:

20 "(o) Using in any manner a ~~certificate or certificate~~ LICENSE,
21 LICENSE number, OR CERTIFICATE that has not been issued to the
22 individual by the board."

23 Page 11, after line 20 insert:

24 "**SECTION 21.** In Colorado Revised Statutes, 12-25-209, **amend**
25 (8.2) (a), (8.4) (a), (8.4) (c) (III), (8.5), and (12) as follows:

26 **12-25-209. Disciplinary proceedings - injunctive relief**
27 **procedure.** (8.2) (a) If it appears to the board, based upon credible
28 evidence as presented in a written complaint by any person, that a
29 licensee ~~or certificate holder~~ is acting in a manner that is an imminent
30 threat to the health and safety of the public or a person is acting or has
31 acted without the required license, ~~or certificate~~, the board may issue an
32 order to cease and desist such activity. The order shall set forth the
33 statutes and rules alleged to have been violated, the facts alleged to have
34 constituted the violation, and the requirement that all unlawful acts or
35 unlicensed ~~or uncertified~~ practices immediately cease.

36 (8.4) (a) If it appears to the board, based upon credible evidence

1 as presented in a written complaint by any person, that a person has
2 violated any other portion of this part 2, then, in addition to any specific
3 powers granted pursuant to this part 2, the board may issue to such person
4 an order to show cause as to why the board should not issue a final order
5 directing such person to cease and desist from the unlawful act or
6 unlicensed ~~or uncertified~~ practice.

7 (c) (III) If the board reasonably finds that the person against
8 whom the order to show cause was issued is acting or has acted without
9 the required license ~~or certificate~~ or has or is about to engage in acts or
10 practices constituting violations of this part 2, a final cease-and-desist
11 order may be issued directing such person to cease and desist from further
12 unlawful acts or unlicensed ~~or uncertified~~ practices.

13 (8.5) If it appears to the board, based upon credible evidence
14 presented to the board, that a person has engaged in or is about to engage
15 in any unlicensed ~~or uncertified~~ act or practice, any act or practice
16 constituting a violation of this part 2, any rule promulgated pursuant to
17 this part 2, any order issued pursuant to this part 2, or any act or practice
18 constituting grounds for administrative sanction pursuant to this part 2,
19 the board may enter into a stipulation with such person.

20 (12) When a complaint or investigation discloses an instance of
21 conduct that does not warrant formal action by the board and, in the
22 opinion of the board, the complaint should be dismissed, but the board
23 has noticed indications of possible errant conduct by the licensee ~~or~~
24 ~~certificate holder~~ that could lead to serious consequences if not corrected,
25 a confidential letter of concern may be issued and sent to the licensee. ~~or~~
26 ~~certificate holder.~~

27 **SECTION 22.** In Colorado Revised Statutes, 12-25-210, **amend**
28 (1) as follows:

29 **12-25-210. Application for licensing.** (1) Each application for
30 licensing ~~or certification~~ shall be ~~on~~ IN a form ~~furnished~~ SPECIFIED by the
31 board and shall contain statements made under oath showing the
32 applicant's education and showing a detailed summary of ~~such~~ THE
33 applicant's surveying experience. Each application ~~shall~~ MUST contain a
34 statement indicating whether the applicant has ever been convicted of a
35 felony in this or in any other state, or has ever had a surveyor's license or
36 registration revoked, suspended, or not renewed, or has been reprimanded
37 or fined relative to surveying in this or any other state. Applications that
38 are not complete ~~shall be deemed~~ ARE defective, and the board shall take
39 no action on defective applications except to give notice to the applicant
40 of the defects. A nonrefundable application fee in an amount set by the
41 board shall accompany each application.

42 **SECTION 23.** In Colorado Revised Statutes, 12-25-214, **amend**
43 (2) (b) (I) (C) and (2) (b) (II) (C) as follows:

1 **12-25-214. Qualifications for professional land surveyor -**
2 **repeal.** (2) (b) To be admitted to an examination pursuant to paragraph
3 (a) of this subsection (2), the applicant shall meet the requirements stated
4 in at least one of the following:

5 (I) (C) Have been ~~certified~~ ENROLLED as a land surveyor-intern in
6 this state; or

7 (II) (C) Have been ~~certified~~ ENROLLED as a land surveyor-intern
8 in this state; or".

9 Renumber succeeding sections accordingly.

10 Page 11, line 22, after "**amend**" insert "(1), (2), (4), and".

11 Page 11, strike line 24 and substitute:

12 **"12-25-215. Licenses.** (1) The board, upon acceptance of an
13 applicant who has demonstrated competence in professional land
14 surveying and upon receipt of payment of the required fee, shall license
15 and issue a ~~numbered certificate of licensure~~ UNIQUE LICENSE NUMBER to
16 ~~said~~ THE applicant.

17 (2) The board, upon acceptance of a qualified land surveyor-intern
18 and upon receipt of payment of the required fee, shall ~~certify said~~ ENROLL
19 THE qualified land surveyor-intern.

20 (4) All licenses ~~and registrations~~ shall be renewed or reinstated
21 pursuant to a schedule established by the director of the division of
22 professions and occupations within the department of regulatory agencies
23 and shall be renewed or reinstated pursuant to section 24-34-102 (8),
24 C.R.S. The director of the division of professions and occupations within
25 the department of regulatory agencies may establish renewal fees and
26 delinquency fees for reinstatement pursuant to section 24-34-105, C.R.S.
27 If a person fails to renew his or her license ~~or registration~~ pursuant to the
28 schedule established by the director of the division of professions and
29 occupations, ~~such~~ THE license ~~or registration~~ shall expire. Any person
30 whose license ~~or registration~~ has expired ~~shall be~~ IS subject to the
31 penalties provided in this article or section 24-34-102 (8), C.R.S.

32 (6) A professional land".

33 Page 11, after line 26 insert:

34 **"SECTION 25.** In Colorado Revised Statutes, 12-25-216, **amend**
35 (1) (a) (II) and (1) (a) (V) as follows:

36 **12-25-216. Fees - disposition.** (1) Pursuant to section 24-34-105,
37 C.R.S., the board shall charge and collect fees for the following:

- 1 (a) With respect to professional land surveyors:
2 (II) Replacement of a ~~license~~, PAPER certificate of licensure, or
3 renewal card, IF REQUESTED BY THE LICENSEE;
4 (V) Issuance of a PAPER certificate of licensure, ~~as a professional~~
5 ~~land surveyor~~ IF REQUESTED BY THE LICENSEE;"

6 Renumber succeeding sections accordingly.

7 Page 13, line 19, strike "care." and substitute the following:

8 "care PRACTICE.

9 **SECTION 28.** In Colorado Revised Statutes, 12-25-303, **amend**
10 (6) (c) (I) (B) as follows:

11 **12-25-303. Exemptions.** (6) (c) As used in this subsection (6),
12 "interior designer" means a person who:

13 (I) Engages in:

14 (B) Preparing and ~~filing~~ SUBMITTING interior design documents
15 for the purpose of obtaining approval for a building permit as provided
16 by law for nonstructural or nonseismic interior construction, materials,
17 finishes, space planning, furnishings, fixtures, equipment, lighting, and
18 reflected ceiling plans;"

19 Renumber succeeding sections accordingly.

20 Page 17, after line 5, insert:

21 **"SECTION 31.** In Colorado Revised Statutes, 12-25-307, **amend**
22 (2) (a) introductory portion as follows:

23 **12-25-307. Powers and duties of the board.** (2) The board shall:

24 (a) Keep a record of its proceedings and of all applications for
25 licensing ~~or certification~~ under this part 3. The application record for each
26 applicant shall include:"

27 Renumber succeeding sections accordingly.

28 Page 18, strike lines 15 through 18 and substitute "BY A FINE OF NOT LESS
29 THAN FIFTY DOLLARS AND NOT MORE THAN FIVE THOUSAND DOLLARS
30 upon a finding of misconduct by the board, made AFTER NOTICE AND THE
31 OPPORTUNITY FOR A HEARING pursuant to article 4 of title 24, C.R.S. ~~In~~
32 ~~an administrative proceeding against a licensee, the board may impose a~~
33 ~~fine of not more than five thousand dollars.~~

34 **"SECTION 32.** In Colorado Revised Statutes, 12-25-310, **amend**
35 (1) and (3) as follows:

1 **12-25-310. Application for licensing.** (1) An applicant shall
2 submit an application that includes evidence of education and practical
3 experience as required by section 12-25-314 and the rules of the board.
4 ~~Such~~ THE application shall also include a ~~signed~~ statement that the
5 applicant has never been denied licensure as an architect or been
6 disciplined with regard to the practice of architecture or practiced
7 architecture in violation of the law. If the board determines that an
8 applicant has committed any of the acts specified as grounds for
9 discipline under section 12-25-308 (1), it may deny an application for
10 examination or licensure. ~~If the applicant has not complied with~~
11 ~~subsection (3) of this section, the board shall deny an application for~~
12 ~~examination or licensure~~ THE BOARD SHALL NOTIFY THE APPLICANT
13 WITHIN THIRTY DAYS IF IT DETERMINES THAT THE APPLICATION IS
14 INCOMPLETE OR OTHERWISE DEFECTIVE, AND SHALL SPECIFY THE
15 GROUNDS FOR THE DETERMINATION.

16 (3) ~~No~~ A licensee whose license is revoked ~~shall be allowed to~~
17 ~~apply~~ MAY REAPPLY for licensure, ~~earlier than~~ BUT THE BOARD SHALL NOT
18 CONSIDER THE APPLICATION UNTIL two years after the effective date of the
19 revocation."

20 Renumber succeeding sections accordingly.

21 Page 18, after line 26 insert:

22 "**SECTION 34.** In Colorado Revised Statutes, 12-25-314, **amend**
23 (3) as follows:

24 **12-25-314. Qualifications for architect licensure.** (3) An
25 applicant for licensure by endorsement ~~shall~~ MUST hold a license in good
26 standing in a jurisdiction requiring qualifications substantially equivalent
27 to those currently required for licensure by examination as provided in
28 section 12-25-310 (1) and subsections (1) and (2) of this section and shall
29 ~~file~~ SUBMIT an application as prescribed by the board. The board shall
30 provide procedures for an applicant to apply directly to the board. The
31 board may also provide an alternative application procedure so that an
32 applicant may, at his or her option, instead apply to a national
33 clearinghouse designated by the board. The national clearinghouse shall
34 then forward the application to the board."

35 Renumber succeeding sections accordingly.

36 Page 19, line 1, after "12-25-315," insert "**amend** (2); and".

37 Page 19, line 3, strike "(4) AN" and substitute "(2) An architect may

1 renew a license by paying to the board the license renewal fee established
2 pursuant to section 24-34-105, C.R.S., and the board shall then ~~issue a~~
3 ~~certificate of renewal~~ RENEW THE LICENSE.

4 (4) AN".

5 Page 19, after line 5 insert:

6 "SECTION 36. In Colorado Revised Statutes, 12-25-316, **amend**
7 (3) as follows:

8 **12-25-316. Disposition of fees - expenses of board.** (3) The
9 board may charge fees for licensure by examination, reexamination, AND
10 endorsement. ~~and recertification.~~ The board may also charge fees for
11 ~~replacement of a license certificate and for the renewal and reinstatement~~
12 ~~of a license."~~

13 Renumber succeeding sections accordingly.

14 Page 19, after line 21 insert:

15 "SECTION 38. In Colorado Revised Statutes, 38-50-103, **amend**
16 (1), (2) (a), (2) (b), and (4) as follows:

17 **38-50-103. Public records - monument records.** (1) The state
18 board of licensure for architects, professional engineers, and professional
19 land surveyors, created in section 12-25-106, C.R.S., shall employ
20 personnel at the expense of such board's licensed professional land
21 surveyors to maintain a ~~monument record filing~~ RECORD-KEEPING AND
22 INDEXING system for all monument records ~~filed~~ SUBMITTED in
23 accordance with section 38-53-104.

24 (2) (a) The state board of licensure for architects, professional
25 engineers, and professional land surveyors shall ~~transmit~~ PROVIDE, FREE
26 OF CHARGE, a copy of each monument record ~~accepted for filing, without~~
27 ~~fee,~~ SUBMITTED IN ACCORDANCE WITH SECTION 38-53-104 to the county
28 clerk and recorder for the county in which the monument is located.

29 (b) Each county clerk and recorder shall maintain copies of
30 monument records in a ~~file furnished by the board~~ COUNTY
31 RECORD-KEEPING AND INDEXING SYSTEM and, upon receipt of each ~~such~~
32 monument record PROVIDED PURSUANT TO PARAGRAPH (a) OF THIS
33 SUBSECTION (2), shall list it in a ~~master index included with each such file~~
34 THE SYSTEM.

35 (4) No fee shall be charged by the state board of licensure for
36 architects, professional engineers, and professional land surveyors for the
37 ~~filing~~ SUBMISSION of monument records. The cost of maintaining the
38 RECORD-KEEPING AND INDEXING SYSTEM FOR monument ~~record files~~

1 RECORDS shall be recouped as part of the renewal ~~fee~~ FEES charged to
2 licensees, ~~Such renewal fee~~ WHICH FEES shall be calculated to cover the
3 costs of the staff and equipment necessary to maintain the ~~monument~~
4 ~~record filing~~ RECORD-KEEPING AND INDEXING system."

5 Renumber succeeding sections accordingly.

6 Page 19, strike lines 24 through 27.

7 Page 20, strike lines 1 through 3 and substitute:

8 "(1) (b), (2), (3) (b) (I), and (6) as follows:

9 **38-51-104. Monumentation of land surveys.** (1) (b) A durable
10 cap bearing the ~~registration~~ LICENSE number of the professional land
11 surveyor responsible for the establishment of the monument shall be
12 affixed securely to the top of each such monument embedded pursuant to
13 this subsection (1).

14 (2) If the points designated in subsection (1) of this section fall on
15 solid bedrock, concrete, stone curbs, gutters, or walks, a durable metal
16 disk or cap shall be securely anchored in the rock or concrete and stamped
17 with the ~~survey point and the registration~~ LICENSE number of the
18 professional land surveyor responsible for the establishment of the
19 monument or marker.

20 (3) (b) (I) The letters "RM" or "WC" and the surveyor's
21 ~~registration~~ LICENSE number shall be affixed to the monument.

22 (6) No marker required by this section shall bear the ~~registration~~
23 LICENSE number of more than one professional land surveyor but may
24 bear the name of an individual surveyor or surveying firm in addition to
25 the required ~~registration~~ LICENSE number."

26 Page 21, after line 11 insert:

27 **"SECTION 42.** In Colorado Revised Statutes, **amend** 38-53-104
28 as follows:

29 **38-53-104. Submission of monument record required.**

30 (1) (a) If a professional land surveyor conducts a survey that uses any
31 monument representing a public land survey monument location, quarter
32 section corner, sixteenth section corner, government land office or bureau
33 of land management (government) lot corner as defined by the
34 nomenclature of the United States public land survey system, or any
35 United States geological survey or United States coast and geodetic
36 survey (also known as the national ocean service/national geodetic
37 survey) monument as a control corner, ~~such~~ THE professional land

1 surveyor shall ~~file~~ SUBMIT a monument record describing such monument
2 with the board if the monument and its accessories are not substantially
3 described in an existing monument record previously ~~filed~~ SUBMITTED
4 pursuant to this section or its predecessor.

5 (b) If a professional land surveyor establishes, restores, or
6 rehabilitates any public land survey monument corner location or section
7 corner, quarter section corner, or sixteenth section corner as defined by
8 the nomenclature of the United States public land survey system, ~~such~~
9 THE professional land surveyor shall ~~file~~ SUBMIT a monument record.

10 (c) Any monument record ~~filed~~ SUBMITTED pursuant to this
11 section shall MUST describe at least two accessories or reference points.

12 (2) A PROFESSIONAL LAND SURVEYOR SHALL SUBMIT A monument
13 ~~records shall be filed~~ RECORD within six months ~~of~~ AFTER the date on
14 which the monument was used as control or was established, restored, or
15 rehabilitated.

16 **SECTION 43.** In Colorado Revised Statutes, **amend** 38-53-105
17 as follows:

18 **38-53-105. Professional land surveyor must rehabilitate**
19 **monuments.** For any monument record of a public land survey corner
20 which is required to be ~~filed~~ SUBMITTED pursuant to this article, the
21 professional land surveyor shall restore or rehabilitate the corner
22 monument so it is readily identifiable and reasonably durable, if field
23 conditions require it.

24 **SECTION 44.** In Colorado Revised Statutes, **amend** 38-53-106
25 as follows:

26 **38-53-106. Form of monument records - prescribed by board.**
27 The board shall adopt and revise as necessary the ~~forms used for~~ FORM
28 AND TECHNICAL SPECIFICATIONS FOR SUBMISSION OF monument records,
29 including the information to be ~~required on such forms.~~ Such forms and
30 ~~any necessary instructions shall be furnished to all professional land~~
31 ~~surveyors without charge~~ INCLUDED WITH, OR AS PART OF, THE RECORDS.

32 **SECTION 45.** In Colorado Revised Statutes, **amend** 38-53-107
33 as follows:

34 **38-53-107. Monument records - conditions for acceptance.** No
35 THE BOARD SHALL NOT ACCEPT A monument record ~~shall be accepted for~~
36 ~~filing unless it is properly completed and signed and sealed~~ COMPLIES
37 WITH THE FORM AND TECHNICAL SPECIFICATIONS ESTABLISHED BY THE
38 BOARD UNDER SECTION 38-53-107 AND IS SIGNED, SEALED, OR OTHERWISE
39 AUTHENTICATED by the professional land surveyor who was in
40 responsible charge of the work.

41 **SECTION 46.** In Colorado Revised Statutes, **amend** 38-53-108
42 as follows:

43 **38-53-108. Submission permitted on any survey monument.** A

1 professional land surveyor may ~~file~~ SUBMIT a monument record
2 describing any land survey monument, accessory, or bench mark with the
3 board.

4 **SECTION 47.** In Colorado Revised Statutes, **amend** 38-53-109
5 as follows:

6 **38-53-109. Fees.** THE BOARD SHALL NOT CHARGE A FEE for ~~filings~~
7 ~~on~~ SUBMISSIONS RELATED TO public land survey monuments and their
8 accessories and aliquot corners or bench marks. ~~there shall be no fee~~
9 ~~charged.~~ For all other filings, ~~there shall be~~ THE BOARD MAY ESTABLISH
10 a fee ~~established~~ pursuant to section 24-34-105, C.R.S., which shall be
11 payable to the board at the time of ~~filing~~ SUBMISSION."

12 Renumber succeeding sections accordingly.

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