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SENATE BILL 13-161

BY SENATOR(S) Heath, Schwartz, Tochtrop, Todd;
also REPRESENTATIVE(S) Fischer and Hamner, Court, Gardner, Gerou,
Labuda, Mitsch Bush, Ferrandino.

CONCERNING CONTINUATION OF THE STATE BOARD FOR LICENSURE OF
ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND
SURVEYORS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE
RECOMMENDATIONS OF THE 2012 SUNSET REPORT BY THE
DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. In Colorado Revised Statutes, 12-25-106, **amend** (2)
(b) as follows:

**12-25-106. State board of licensure - subject to termination -
repeal of article.** (2) (b) This article is repealed, effective ~~July 1, 2013~~
SEPTEMBER 1, 2024.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **amend** (44)
introductory portion; **repeal** (44) (1); and **add** (55) as follows:

24-34-104. General assembly review of regulatory agencies and

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

functions for termination, continuation, or reestablishment. (44) The following agencies, functions, or both, shall terminate on July 1, 2013:

(l) ~~The state board of licensure for architects, professional engineers, and professional land surveyors in the department of regulatory agencies, created by section 12-25-106, C.R.S.;~~

(55) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, TERMINATE ON SEPTEMBER 1, 2024:

(d) THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS IN THE DEPARTMENT OF REGULATORY AGENCIES, CREATED BY SECTION 12-25-106, C.R.S.

SECTION 3. In Colorado Revised Statutes, 12-25-102, **amend** (10) (b) as follows:

12-25-102. Definitions. As used in this part 1, unless the context otherwise requires:

(10) (b) An individual ~~shall be construed as practicing or offering~~ PRACTICES OR OFFERS to practice "professional engineering" within the meaning and intent of this section if the individual, by ~~verbal~~ ORAL claim, sign, advertisement, letterhead, card, or in any other way, represents himself or herself to be a professional engineer; through the use of any other means implies that the individual is licensed under this part 1; or performs engineering services.

SECTION 4. In Colorado Revised Statutes, 12-25-103, **amend** (1) introductory portion, (1) (j), and (1) (k); and **add** (1) (l) as follows:

12-25-103. Exemptions. (1) This part 1 ~~shall~~ DOES not be construed to affect any of the following:

(j) Individuals who practice architecture as defined in section 12-25-302 (6); ~~or~~

(k) Utilities or their employees or contractors when performing services for another utility during times of natural disasters or emergency

situations; OR

(l) INDIVIDUALS WHO PRACTICE LANDSCAPE ARCHITECTURE AS DEFINED IN SECTION 12-45-103 (8).

SECTION 5. In Colorado Revised Statutes, **amend** 12-25-104 as follows:

12-25-104. Forms of organizations permitted to practice. ~~(1) No partnership, corporation, limited liability company, or joint stock association shall be licensed under this part 1. No partnership, corporation, limited liability company, or joint stock association shall practice or offer to practice engineering in the state except under the following conditions: A PARTNERSHIP, CORPORATION, LIMITED LIABILITY COMPANY, JOINT STOCK ASSOCIATION, OR OTHER ENTITY IS NOT ELIGIBLE FOR LICENSURE UNDER THIS PART 1. AN ENTITY MAY PRACTICE OR OFFER TO PRACTICE ENGINEERING IN COLORADO ONLY IF THE INDIVIDUAL IN RESPONSIBLE CHARGE OF THE ENTITY'S ENGINEERING ACTIVITIES PERFORMED IN COLORADO IS A PROFESSIONAL ENGINEER LICENSED IN COLORADO. ALL ENGINEERING DOCUMENTS, PLATS, AND REPORTS ISSUED BY OR FOR THE ENTITY IN CONNECTION WITH ENGINEERING WORK PERFORMED IN THIS STATE MUST BEAR THE SEAL AND SIGNATURE OF THE COLORADO-LICENSED PROFESSIONAL ENGINEER WHO IS IN RESPONSIBLE CHARGE OF AND DIRECTLY RESPONSIBLE FOR THE ENGINEERING WORK.~~

~~(a) Professional engineers may practice under this part 1 as individuals or partners or through joint stock associations, registered limited liability partnerships, limited liability companies, or corporations.~~

~~(b) In the case of practice through a partnership, at least one of the partners shall be a professional engineer licensed under this part 1, and all engineering plans, designs, drawings, specifications, or reports issued by or for the partnership shall bear the seal of said professional engineer partner or a professional engineer in responsible charge of, and directly responsible for, such engineering work when issued.~~

~~(c) In the case of the practice of engineering through a joint stock association, limited liability company, or corporation, engineering services or work involving the practice of engineering may be offered through such joint stock association, limited liability company, or corporation if the~~

~~person in responsible charge of the engineering activities of the joint stock association, limited liability company, or corporation is a professional engineer licensed pursuant to this part 1. All engineering plans, designs, drawings, specifications, or reports that are involved in such practice, issued by or for such joint stock association, limited liability company, or corporation, shall bear the seal and signature of a professional engineer in responsible charge of, and directly responsible for, such engineering work when issued.~~

SECTION 6. In Colorado Revised Statutes, 12-25-107, **amend** (1) (g), (1) (i), and (1) (j) as follows:

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

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

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

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

SECTION 7. In Colorado Revised Statutes, 12-25-108, **amend** (1) introductory portion, (1) (a), (1) (i), (2) (a), (2) (b), and (4) (a) as follows:

12-25-108. Disciplinary actions - grounds for discipline. (1) The board has the power to deny, suspend, revoke, or refuse to renew the license and certificate of licensure or enrollment of, limit the scope of practice of, or place on probation, any professional engineer or engineer-intern ~~who is~~

~~found guilty of~~ FOR:

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

(i) ~~Being addicted to or dependent upon alcohol or habit-forming drugs or controlled substances as defined in section 18-18-102 (5), C.R.S.~~ HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL, CONTROLLED SUBSTANCES, OR ANY HABIT-FORMING DRUG;

(2) (a) When a complaint or investigation discloses an instance of misconduct that, in the opinion of the board, does not warrant formal action by the board but that should not be dismissed as being without merit, THE BOARD MAY ISSUE AND SEND a letter of admonition ~~may be issued and sent,~~ by ~~certified~~ FIRST-CLASS mail to the professional engineer or engineer-intern AT HIS OR HER LAST-KNOWN ADDRESS.

(b) When THE BOARD SENDS a letter of admonition ~~is sent by the board by certified mail,~~ to a professional engineer or engineer-intern, the BOARD SHALL ADVISE THE professional engineer or engineer-intern ~~shall be advised~~ that he or she has the right to request in writing, within twenty days after receipt of the letter, that formal disciplinary proceedings be initiated to adjudicate the propriety of the conduct upon which the letter of admonition is based.

(4) (a) In addition to any other penalty that may be imposed pursuant to this article, THE BOARD MAY FINE any professional engineer violating any provision of this article or any rule promulgated pursuant to this article ~~may be fined for each violation proven by the board as follows:~~

(I) ~~In the first administrative proceeding against a professional engineer, a fine of not less than fifty dollars and not more than five hundred dollars;~~

(II) ~~In any subsequent administrative proceeding against a professional engineer determining that a violation of this article has occurred, a fine of not less than two hundred fifty dollars and not more than five thousand dollars for each violation proven by the board.~~

SECTION 8. In Colorado Revised Statutes, 12-25-109, **amend**

(8.2) (a), (8.4) (a), (8.4) (c) (III), (8.5), and (12) as follows:

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

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

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

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

(12) When a complaint or investigation discloses an instance of conduct that does not warrant formal action by the board and, in the opinion of the board, the complaint should be dismissed, but the board has noticed indications of possible errant conduct by the licensee ~~or registrant~~ that could

lead to serious consequences if not corrected, a confidential letter of concern may be issued and sent to the licensee. ~~or registrant.~~

SECTION 9. In Colorado Revised Statutes, 12-25-110, **amend** (1) as follows:

12-25-110. Application for license. (1) The board shall prescribe and furnish ~~application forms~~ THE MEANS BY WHICH A PERSON MAY APPLY FOR LICENSURE. All applications ~~shall~~ MUST be made under oath and ~~shall be~~ accompanied by the appropriate fee. Each application ~~shall~~ MUST contain a statement indicating whether the applicant has ever been convicted of a felony in this or any other state, or has ever had a license to practice engineering revoked or suspended in this or any other state. Applications that are not complete ~~shall be deemed~~ ARE defective and ~~shall~~ MAY not be accepted by the board. The board shall take no action on defective applications, except to give notice to the applicant of defects. The board shall retain all fees submitted with applications, whether or not ~~such~~ THE applications are acted upon.

SECTION 10. In Colorado Revised Statutes, 12-25-114, **amend** (4) (b) (II) as follows:

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

SECTION 11. In Colorado Revised Statutes, 12-25-115, **amend** (1), (2), (4), and (7) as follows:

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

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

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

(7) A professional engineer shall give ~~immediate~~ notice to the board, in writing, of any change of address WITHIN THIRTY DAYS AFTER THE CHANGE.

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

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

(a) With respect to professional engineers:

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

(V) Issuance of a PHYSICAL certificate of licensure, ~~as a professional engineer~~ IF REQUESTED BY THE LICENSEE;

SECTION 13. In Colorado Revised Statutes, 12-25-117, **amend** (1) and (3); and **add** (5) as follows:

12-25-117. Professional engineer's seal - rules. (1) Upon receipt ~~of a certificate of licensure, the newly licensed~~ RECEIVING A LICENSE FROM THE BOARD, A professional engineer may obtain a seal. ~~A crimp type seal, a rubber stamp type seal, or an electronic type seal may be used. The seal shall be~~ of a design approved by the board. ~~and shall contain~~ THE SEAL MUST CONTAIN the LICENSED professional engineer's name and license

number and the designation "Colorado licensed professional engineer". Colorado professional engineers licensed before July 1, 2004, may continue to use their prior existing seals.

(3) ~~The A PROFESSIONAL ENGINEER SHALL USE A seal and signature shall be used by an engineer~~ only when the work ~~being stamped~~ TO WHICH THE SEAL IS APPLIED was PREPARED under the engineer's responsible charge.

(5) THE BOARD SHALL ADOPT RULES GOVERNING USE OF THE SEAL AND THE RETENTION, USE, AND DISTRIBUTION OF SEALED DOCUMENTS AND COPIES THEREOF.

SECTION 14. In Colorado Revised Statutes, 12-25-202, **amend** (3), (3.5), and (6) (b) as follows:

12-25-202. Definitions. As used in this part 2, unless the context otherwise requires:

(3) "Certificate" means the media issued by the board ~~under seal~~ to evidence licensing or enrollment.

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

(6) (b) An individual ~~shall be construed as practicing or offering PRACTICES OR OFFERS to practice "professional land surveying" within the meaning and intent of this part 2 if such~~ THE individual engages therein or, by ~~verbal~~ ORAL claim, sign, letterhead, or card or in any other way holds himself or herself out to be a professional land surveyor or as being able to perform any professional land surveying service or if ~~such~~ THE individual ~~does perform~~ PERFORMS any professional land surveying service or work.

SECTION 15. In Colorado Revised Statutes, **amend** 12-25-204 as follows:

12-25-204. Forms of organizations permitted to practice. (1) ~~No~~ A partnership, corporation, limited liability company, ~~or~~ joint stock association, ~~shall be licensed~~ OR OTHER ENTITY IS NOT ELIGIBLE FOR LICENSURE under this part 2.

~~(2) No partnership, corporation, limited liability company, or joint stock association, shall~~ AN ENTITY MAY practice or offer to practice land surveying in this state ~~unless~~ ONLY IF the individual in responsible charge of the ENTITY'S land surveying activities ~~of the organization~~ IN THIS STATE is a professional land surveyor. All PROFESSIONAL LAND SURVEYING documents, plats, and reports ~~that are involved in such practice~~ issued by or for ~~such organizations shall~~ THE ENTITY MUST bear the seal and signature of the professional land surveyor who is in responsible charge of and directly responsible for ~~such~~ THE land surveying work.

SECTION 16. In Colorado Revised Statutes, 12-25-207, **amend** (1) (b), (1) (c) introductory portion, and (1) (e) as follows:

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

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

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

(e) Provide for and administer ~~written~~ examinations to be given as often as practicable. ~~at such times and locations as the board shall designate. Written examination papers shall~~ EXAMINATIONS MUST be identified only by numbers and ~~shall be~~ anonymously graded. After ~~review and approval by the board,~~ all REVIEWING AND APPROVING THE examination results, THE BOARD shall ~~be recorded,~~ RECORD and COMMUNICATE each examinee's examination results ~~shall be sent to such~~ THE examinee. ~~by first-class mail.~~ The board shall ensure that the passing score on surveying examinations ~~shall be~~ IS set to measure the level of minimum competency. The board shall publish and make available to interested applicants a list of the subjects included in the surveying examinations that are developed by the board, such subjects being consistent with and related to the various aspects of surveying.

SECTION 17. In Colorado Revised Statutes, 12-25-208, **amend** (1)

introductory portion, (1) (i), (1) (o), (2) (a), (2) (b), and (4) (a) as follows:

12-25-208. Disciplinary actions - grounds for discipline. (1) The board has the power to deny, suspend, revoke, or refuse to renew the license of, or place on probation, limit the scope of practice of, or require additional training of any professional land surveyor or land surveyor-intern ~~who is found guilty of~~ FOR:

(i) ~~Being addicted to or dependent upon alcohol or any habit-forming drugs or controlled substances as defined in section 18-18-102 (5), C.R.S. HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL, CONTROLLED SUBSTANCES, OR ANY HABIT-FORMING DRUG;~~

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

(2) (a) When a complaint or investigation discloses an instance of misconduct that, in the opinion of the board, does not warrant formal action by the board but that should not be dismissed as being without merit, THE BOARD MAY ISSUE AND SEND a letter of admonition ~~may be issued and sent;~~ by ~~certified~~ FIRST-CLASS mail to the professional land surveyor or land surveyor-intern AT HIS OR HER LAST-KNOWN ADDRESS.

(b) When THE BOARD SENDS a letter of admonition ~~is sent by the board by certified mail;~~ to a professional land surveyor or land surveyor-intern, ~~such~~ THE BOARD SHALL ADVISE THE professional land surveyor or land surveyor-intern ~~shall be advised~~ that he or she has the right to request in writing, within twenty days after receipt of the letter, that formal disciplinary proceedings be initiated to adjudicate the propriety of the conduct upon which the letter of admonition is based.

(4) (a) In addition to any other penalty that may be imposed pursuant to this section, THE BOARD MAY FINE any professional land surveyor violating any provision of this article or any rule promulgated pursuant to this article ~~may be fined for each violation proven by the board as follows:~~

~~(f) In the first administrative proceeding against a professional land surveyor, a fine of not less than fifty dollars and not more than five hundred dollars;~~

~~(H) In any subsequent administrative proceeding against a professional land surveyor determining that a violation of this article has occurred, a fine of not less than two hundred fifty dollars and not more than five thousand dollars for each violation proven by the board.~~

SECTION 18. In Colorado Revised Statutes, 12-25-209, **amend** (8.2) (a), (8.4) (a), (8.4) (c) (III), (8.5), and (12) as follows:

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

(8.4) (a) If it appears to the board, based upon credible evidence as presented in a written complaint by any person, that a person has violated any other portion of this part 2, then, in addition to any specific powers granted pursuant to this part 2, the board may issue to such person an order to show cause as to why the board should not issue a final order directing such person to cease and desist from the unlawful act or unlicensed ~~or uncertified~~ practice.

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

(8.5) If it appears to the board, based upon credible evidence presented to the board, that a person has engaged in or is about to engage in any unlicensed ~~or uncertified~~ act or practice, any act or practice constituting a violation of this part 2, any rule promulgated pursuant to this part 2, any order issued pursuant to this part 2, or any act or practice constituting grounds for administrative sanction pursuant to this part 2, the

board may enter into a stipulation with such person.

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

SECTION 19. In Colorado Revised Statutes, 12-25-210, **amend** (1) as follows:

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

SECTION 20. In Colorado Revised Statutes, 12-25-214, **amend** (2) (b) (I) (C), (2) (b) (II) (C), and (5) (b) (II) as follows:

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

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

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

(5) (b) (II) For any professional land surveyor who has been retired for two or more years, the board may require reexamination ~~or recertification~~; unless the board is satisfied of ~~such~~ THE retired professional land surveyor's continued competence.

SECTION 21. In Colorado Revised Statutes, 12-25-215, **amend** (1), (2), (4), and (6) as follows:

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

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

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

(6) A professional land surveyor shall give ~~immediate~~ notice to the board, in writing, of any change of address WITHIN THIRTY DAYS AFTER THE CHANGE.

SECTION 22. In Colorado Revised Statutes, 12-25-216, **amend** (1) (a) (II) and (1) (a) (V) as follows:

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

(a) With respect to professional land surveyors:

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

(V) Issuance of a PAPER certificate of licensure, ~~as a professional land surveyor~~ IF REQUESTED BY THE LICENSEE;

SECTION 23. In Colorado Revised Statutes, **amend** 12-25-217 as follows:

12-25-217. Professional land surveyor's seal - rules. (1) Upon ~~receipt of a certificate of licensure, the newly licensed~~ RECEIVING A LICENSE FROM THE BOARD, A professional land surveyor may obtain a ~~seal. A crimp type seal, a rubber stamp type seal, or an electronic type seal may be used. The seal shall be of a design approved by the board. and shall contain~~ THE SEAL MUST CONTAIN the LICENSED professional land surveyor's name and license number and the designation "Colorado licensed professional land surveyor". Colorado land surveyors licensed before July 1, 2004, may continue to use their prior existing seals.

(2) All documents, plats, and reports resulting from the practice of land surveying shall be identified with and bear the seal or ~~facsimile and~~ EXACT COPY THEREOF, signature, AND DATE OF SIGNATURE of the land surveyor in responsible charge.

(3) ~~The~~ A PROFESSIONAL LAND SURVEYOR SHALL USE A seal and signature ~~shall be used by a professional land surveyor~~ only when the work ~~being stamped~~ TO WHICH THE SEAL IS APPLIED was PREPARED under ~~such~~ THE professional land surveyor's responsible charge.

(4) THE BOARD SHALL ADOPT RULES GOVERNING USE OF THE SEAL AND THE RETENTION, USE, AND DISTRIBUTION OF SEALED DOCUMENTS AND COPIES THEREOF.

SECTION 24. In Colorado Revised Statutes, 12-25-302, **amend** (6) (a) and (7); and **add** (6) (c) as follows:

12-25-302. Definitions. As used in this part 3, unless the context otherwise requires:

(6) (a) The "practice of architecture" means ~~the performance of the professional PROVIDING ANY OF THE FOLLOWING services of planning and design of buildings, preparation of construction contract documents including working drawings and specifications for the construction of buildings, and the observation of construction pursuant to an agreement between an architect and any other person, but does not include the performance of the construction of buildings~~ IN CONNECTION WITH THE DESIGN, CONSTRUCTION, ENLARGEMENT, OR ALTERATION OF A BUILDING OR GROUP OF BUILDINGS AND THE SPACE WITHIN AND THE SITE SURROUNDING THOSE BUILDINGS, WHICH HAVE AS THEIR PRINCIPAL PURPOSE HUMAN OCCUPANCY OR HABITATION:

(I) PRE-DESIGN;

(II) PROGRAMMING;

(III) PLANNING;

(IV) PROVIDING DESIGNS, DRAWINGS, SPECIFICATIONS, AND OTHER TECHNICAL SUBMISSIONS;

(V) ADMINISTERING CONSTRUCTION CONTRACTS; AND

(VI) COORDINATING ANY ELEMENTS OF TECHNICAL SUBMISSIONS PREPARED BY OTHERS.

(c) AN INDIVIDUAL PRACTICES OR OFFERS TO PRACTICE ARCHITECTURE WITHIN THE MEANING AND INTENT OF THIS SUBSECTION (6) IF THE INDIVIDUAL, BY ORAL CLAIM, SIGN, ADVERTISEMENT, LETTERHEAD, CARD, OR IN ANY OTHER WAY, REPRESENTS HIMSELF OR HERSELF TO BE AN ARCHITECT, IMPLIES THAT HE OR SHE IS LICENSED UNDER THIS PART 3, OR PERFORMS OR OFFERS TO PERFORM A SERVICE LISTED IN PARAGRAPH (b) OF THIS SUBSECTION (6).

(7) "Responsible control" means that amount of control over and detailed knowledge of the content of ~~technical submissions as defined in section 12-25-304(3)(c)~~ PLANS, DESIGNS, DRAWINGS, SPECIFICATIONS, AND REPORTS during their preparation as is ordinarily exercised by a licensed architect applying the required standard of care.

SECTION 25. In Colorado Revised Statutes, 12-25-303, **amend** (3) and (6) (c) (I) (B) as follows:

12-25-303. Exemptions. (3) Nothing in this part 3 shall be construed as curtailing or extending the rights of any other profession or craft, INCLUDING THE PRACTICE OF LANDSCAPE ARCHITECTURE BY LANDSCAPE ARCHITECTS PURSUANT TO ARTICLE 45 OF THIS TITLE.

(6) (c) As used in this subsection (6), "interior designer" means a person who:

(I) Engages in:

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

SECTION 26. In Colorado Revised Statutes, 12-25-305, **amend** (1); and **add** (2.5), (9), and (10) as follows:

12-25-305. Unauthorized practice - penalties - enforcement.
(1) UNLESS EXEMPTED UNDER SECTION 12-25-303 (7), any person who practices or offers or attempts to practice architecture without an active license issued under this ~~article~~ PART 3 commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S., for the first offense, and, for the second or any subsequent offense, the person commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

(2.5) (a) IT IS UNLAWFUL FOR ANY INDIVIDUAL TO HOLD HIMSELF OR HERSELF OUT TO THE PUBLIC AS AN ARCHITECT UNLESS THE INDIVIDUAL HAS COMPLIED WITH THIS PART 3.

(b) IT IS UNLAWFUL FOR ANY PERSON TO PRACTICE, OR OFFER TO PRACTICE, ARCHITECTURE IN THIS STATE UNLESS THE INDIVIDUAL IN RESPONSIBLE CONTROL HAS COMPLIED WITH THIS PART 3.

(c) UNLESS LICENSED PURSUANT TO THIS PART 3, IT IS UNLAWFUL

FOR ANY PERSON TO USE ANY OF THE FOLLOWING TITLES: "ARCHITECT", "ARCHITECTS", "ARCHITECTURE", "ARCHITECTURAL", OR "LICENSED ARCHITECT". IN ADDITION, UNLESS LICENSED PURSUANT TO THIS PART 3, IT IS UNLAWFUL FOR ANY PERSON TO USE THE WORDS "ARCHITECT", "ARCHITECTS", "ARCHITECTURE", "ARCHITECTURAL", OR "LICENSED ARCHITECT" IN ANY OFFER TO THE PUBLIC TO PERFORM THE SERVICES SET FORTH IN SECTION 12-25-302 (6). NOTHING IN THIS SUBSECTION (2.5) PROHIBITS THE GENERAL USE OF THE WORDS "ARCHITECT", "ARCHITECTURE", OR "ARCHITECTURAL", INCLUDING THE SPECIFIC USE OF THE TERM "ARCHITECTURAL INTERN" BY AN INDIVIDUAL WHO IS WORKING UNDER THE SUPERVISION OF AN ARCHITECT AND IS IN THE PROCESS OF COMPLETING REQUIRED PRACTICE HOURS IN PREPARATION FOR THE ARCHITECT LICENSING EXAMINATION, SO LONG AS THOSE WORDS ARE NOT BEING USED IN AN OFFER TO THE PUBLIC TO PERFORM THE SERVICES SET FORTH IN SECTION 12-25-302 (6).

(9) AFTER FINDING THAT A PERSON HAS UNLAWFULLY ENGAGED IN THE PRACTICE OF ARCHITECTURE, THE BOARD MAY JOINTLY AND SEVERALLY ASSESS AGAINST THE PERSON A FINE OF NOT LESS THAN FIFTY DOLLARS AND NOT MORE THAN FIVE THOUSAND DOLLARS FOR EACH VIOLATION PROVEN BY THE BOARD. THE BOARD SHALL TRANSMIT THE MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (9) TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE GENERAL FUND.

(10) AN INDIVIDUAL PRACTICING ARCHITECTURE WHO IS NOT LICENSED OR EXEMPT FROM LICENSURE SHALL NOT COLLECT COMPENSATION OF ANY KIND FOR SUCH PRACTICE, AND, IF COMPENSATION HAS BEEN PAID, THE INDIVIDUAL SHALL REFUND THE COMPENSATION IN FULL.

SECTION 27. In Colorado Revised Statutes, 12-25-307, **amend** (2) (a) introductory portion as follows:

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

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

SECTION 28. In Colorado Revised Statutes, 12-25-308, **amend** (1) (i), (2) (a), (2) (b), and (4) (a); and **repeal** (1) (o) as follows:

12-25-308. Disciplinary actions - grounds for discipline. (1) The board may deny, suspend, revoke, or refuse to renew the license of, place on probation, or limit the scope of practice of a licensee for the following:

(i) ~~Habitual intemperance with respect to, or excessive use of, any habit-forming drug, any controlled substance as defined in section 18-18-102 (5), C.R.S., or any alcoholic beverage, any of which renders him or her unfit to practice architecture~~ HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL, CONTROLLED SUBSTANCES, OR ANY HABIT-FORMING DRUG;

(o) ~~Mental incompetency;~~

(2) (a) When a complaint or investigation discloses an instance of misconduct that, in the opinion of the board, does not warrant formal action by the board but that should not be dismissed as being without merit, THE BOARD MAY ISSUE AND SEND a letter of admonition ~~may be issued and sent,~~ by ~~certified~~ FIRST-CLASS mail to the licensee AT THE LICENSEE'S LAST-KNOWN ADDRESS.

(b) When THE BOARD SENDS a letter of admonition ~~is sent by the board by certified mail,~~ to a licensee, ~~such~~ THE BOARD SHALL ADVISE THE licensee ~~shall be advised~~ that he or she has the right to request in writing, within twenty days after receipt of the letter, that formal disciplinary proceedings be initiated to adjudicate the propriety of the conduct upon which the letter of admonition is based.

(4) (a) In addition to the penalties provided for in subsection (2) of this section, any person violating any provision of this part 3 or any standards or rules promulgated pursuant to this part 3 may be punished BY A FINE OF NOT LESS THAN FIFTY DOLLARS AND NOT MORE THAN FIVE THOUSAND DOLLARS upon a finding of misconduct by the board, made pursuant to article 4 of title 24, C.R.S. ~~In an administrative proceeding against a licensee, the board may impose a fine of not more than five thousand dollars.~~

SECTION 29. In Colorado Revised Statutes, 12-25-310, **amend** (1) and (3) as follows:

12-25-310. Application for licensing. (1) An applicant shall submit an application that includes evidence of education and practical

experience as required by section 12-25-314 and the rules of the board. ~~Such~~ THE application shall also include a ~~signed~~ statement that the applicant has never been denied licensure as an architect or been disciplined with regard to the practice of architecture or practiced architecture in violation of the law. If the board determines that an applicant has committed any of the acts specified as grounds for discipline under section 12-25-308 (1), it may deny an application for examination or licensure. ~~If the applicant has not complied with subsection (3) of this section, the board shall deny an application for examination or licensure~~ THE BOARD SHALL NOTIFY THE APPLICANT IF IT DETERMINES THAT THE APPLICATION IS INCOMPLETE OR OTHERWISE DEFECTIVE, AND SHALL SPECIFY THE GROUNDS FOR THE DETERMINATION.

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

SECTION 30. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 12-25-312 as follows:

12-25-312. Notification to board. EACH ARCHITECT SHALL REPORT TO THE BOARD ANY MALPRACTICE CLAIM AGAINST THE ARCHITECT, OR AGAINST ANY ENTITY OF WHICH THE ARCHITECT IS A MEMBER, THAT IS SETTLED OR IN WHICH JUDGMENT IS RENDERED, WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THE SETTLEMENT OR JUDGMENT, IF THE CLAIM CONCERNED THE PRACTICE OF ARCHITECTURE PERFORMED OR SUPERVISED BY THE ARCHITECT; EXCEPT THAT A LICENSEE IS NOT REQUIRED TO REPORT ANY CLAIM THAT WAS DISMISSED BY A COURT OF LAW.

SECTION 31. In Colorado Revised Statutes, 12-25-314, **amend** (3) as follows:

12-25-314. Qualifications for architect licensure. (3) An applicant for licensure by endorsement ~~shall~~ MUST hold a license in good standing in a jurisdiction requiring qualifications substantially equivalent to those currently required for licensure by examination as provided in section 12-25-310 (1) and subsections (1) and (2) of this section and shall ~~file~~ SUBMIT an application as prescribed by the board. The board shall provide procedures for an applicant to apply directly to the board. The board

may also provide an alternative application procedure so that an applicant may, at his or her option, instead apply to a national clearinghouse designated by the board. The national clearinghouse shall then forward the application to the board.

SECTION 32. In Colorado Revised Statutes, 12-25-315, **amend** (2); and **add** (4) as follows:

12-25-315. Licenses. (2) An architect may renew a license by paying to the board the license renewal fee established pursuant to section 24-34-105, C.R.S., and the board shall then ~~issue a certificate of renewal~~ RENEW THE LICENSE.

(4) AN ARCHITECT SHALL GIVE NOTICE TO THE BOARD, IN A MANNER PRESCRIBED BY THE BOARD, OF ANY CHANGE OF ADDRESS WITHIN THIRTY DAYS AFTER THE CHANGE.

SECTION 33. In Colorado Revised Statutes, 12-25-316, **amend** (3) as follows:

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

SECTION 34. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 12-25-317 as follows:

12-25-317. Architect's seal - rules. (1) UPON RECEIVING A LICENSE FROM THE BOARD, AN ARCHITECT MAY OBTAIN A CRIMP TYPE SEAL, A RUBBER STAMP TYPE SEAL, OR AN ELECTRONIC TYPE SEAL IN A DESIGN APPROVED BY THE BOARD. THE SEAL MUST CONTAIN THE ARCHITECT'S NAME AND LICENSE NUMBER AND THE DESIGNATION "COLORADO LICENSED ARCHITECT". ARCHITECTS LICENSED BEFORE JULY 1, 2013, MAY CONTINUE TO USE THEIR EXISTING SEALS.

(2) AN ARCHITECT SHALL USE HIS OR HER SEAL, SIGNATURE, AND THE DATE OF SIGNATURE ONLY WHEN THE WORK TO WHICH THE SEAL IS APPLIED WAS PREPARED UNDER THE ARCHITECT'S RESPONSIBLE CONTROL.

(3) THE BOARD SHALL ADOPT RULES GOVERNING USE OF THE SEAL AND THE RETENTION, USE, AND DISTRIBUTION OF SEALED DOCUMENTS AND COPIES THEREOF.

SECTION 35. In Colorado Revised Statutes, 38-50-103, **amend** (1), (2) (a), (2) (b), and (4) as follows:

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

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

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

(4) No fee shall be charged by the state board of licensure for architects, professional engineers, and professional land surveyors for the ~~filing~~ SUBMISSION of monument records. The cost of maintaining the RECORD-KEEPING AND INDEXING SYSTEM FOR monument ~~record files~~ RECORDS shall be recouped as part of the renewal ~~fee~~ FEES charged to licensees, ~~Such renewal fee~~ WHICH FEES shall be calculated to cover the costs of the staff and equipment necessary to maintain the ~~monument record filing~~ RECORD-KEEPING AND INDEXING system.

SECTION 36. In Colorado Revised Statutes, 38-51-104, **amend** (1) (b), (2), (3) (b) (I), and (6) as follows:

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

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

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

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

SECTION 37. In Colorado Revised Statutes, 38-51-105, **amend** (6) as follows:

38-51-105. Monumentation of subdivisions. (6) For any points designated in subsection (1), (2), or (3) of this section that fall on solid bedrock, concrete, stone curbs, gutters, or walks, a durable metal disk or cap shall be securely anchored in the rock or concrete and stamped with the ~~survey point and the~~ license number of the professional land surveyor responsible for the establishment of the monument or marker.

SECTION 38. In Colorado Revised Statutes, 38-51-108, **amend** (1) and (2) (a) (II) as follows:

38-51-108. Improvement location certificate. (1) A professional land surveyor may prepare an improvement location certificate for the use of a specific client based upon ~~such~~ THE professional land surveyor's general knowledge of land boundaries and monuments in a given area ~~if such~~ WHETHER OR NOT THE client is ~~not~~ the owner or buyer; except that, IF THE CLIENT IS NOT THE OWNER OR BUYER, THE PROFESSIONAL LAND SURVEYOR SHALL PROVIDE a copy of ~~such~~ THE certificate ~~shall be provided to such~~ THE owner or buyer.

(2) (a) (II) Such certificate shall be prominently labeled "improvement location certificate" and contain a statement in the following form:

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this improvement location certificate was prepared for (individual or firm), that it is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines. THIS CERTIFICATE IS VALID ONLY FOR USE BY (INDIVIDUAL OR FIRM) AND DESCRIBES THE PARCEL'S APPEARANCE ON (DATE)

I further certify that the improvements on the above described parcel on this date, (insert date), except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

Stamp
or
Seal

By(Signed).....
Date

SECTION 39. In Colorado Revised Statutes, **amend** 38-53-104 as follows:

38-53-104. Submission of monument record required. (1) (a) If a professional land surveyor conducts a survey that uses any monument representing a public land survey monument location, quarter section corner, sixteenth section corner, government land office or bureau of land management (government) lot corner as defined by the nomenclature of the United States public land survey system, or any United States geological survey or United States coast and geodetic survey (also known as the national ocean service/national geodetic survey) monument as a control corner, ~~such~~ THE professional land surveyor shall ~~file~~ SUBMIT a monument record describing such monument with the board if the monument and its accessories are not substantially described in an existing monument record previously ~~filed~~ SUBMITTED pursuant to this section or its predecessor.

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

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

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

SECTION 40. In Colorado Revised Statutes, **amend** 38-53-105 as follows:

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

SECTION 41. In Colorado Revised Statutes, **amend** 38-53-106 as follows:

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

SECTION 42. In Colorado Revised Statutes, **amend** 38-53-107 as follows:

38-53-107. Monument records - conditions for acceptance. ~~No~~ THE BOARD SHALL NOT ACCEPT A monument record ~~shall be accepted for filing unless it is properly completed and signed and sealed~~ COMPLIES WITH

THE FORM AND TECHNICAL SPECIFICATIONS ESTABLISHED BY THE BOARD UNDER SECTION 38-53-107 AND IS SIGNED, SEALED, OR OTHERWISE AUTHENTICATED by the professional land surveyor who was in responsible charge of the work.

SECTION 43. In Colorado Revised Statutes, **amend** 38-53-108 as follows:

38-53-108. Submission permitted on any survey monument. A professional land surveyor may ~~file~~ SUBMIT a monument record describing any land survey monument, accessory, or bench mark with the board.

SECTION 44. In Colorado Revised Statutes, **amend** 38-53-109 as follows:

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

SECTION 45. Effective date. This act takes effect July 1, 2013.

SECTION 46. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

John P. Morse
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO