

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 20, 2014

Date

Committee on Business, Labor, Economic, & Workforce Development.

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

HB14-1199 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 7, line 18, after "INSURER;" add "OR".
- 2 Page 7, strike lines 19 through 22.
- 3 Renumber succeeding subparagraph accordingly.
- 4 Page 7, strike lines 26 and 27.
- 5 Page 8, strike lines 1 through 18.
- 6 Reletter succeeding paragraphs accordingly.
- 7 Page 8, line 19, strike "(III)" and substitute "(II)".
- 8 Page 10, line 26, strike "(I)".
- 9 Page 11, strike lines 4 through 6.
- 10 Page 12, after line 7 insert:
  - 11 "(4) AN INSURER THAT ISSUED A REIMBURSEMENT INSURANCE
  - 12 POLICY TO A PROVIDER SHALL NOT TERMINATE THE POLICY UNTIL A
  - 13 NOTICE OF TERMINATION HAS BEEN MAILED OR DELIVERED TO THE
  - 14 INSURED PROVIDER AS REQUIRED BY APPLICABLE LAW WITH A COPY OF THE

1 NOTICE PROVIDED TO THE COMMISSIONER. THE TERMINATION OF A  
2 REIMBURSEMENT INSURANCE POLICY DOES NOT REDUCE THE ISSUER'S  
3 RESPONSIBILITY FOR SERVICE CONTRACTS ISSUED BY PROVIDERS PRIOR TO  
4 THE DATE OF THE TERMINATION."

5 Page 15, strike lines 16 through 19 and substitute:

6 "(3) A MANUFACTURER OR SELLER OF ANY PRODUCT SHALL NOT  
7 REQUIRE THE PURCHASE OF A SERVICE CONTRACT AS A CONDITION FOR THE  
8 SALE OF ANY PROPERTY.

9 (4) NOTHING IN THIS SECTION LIMITS OR PROHIBITS A PERSON FROM  
10 PURSUING ANY CLAIM, CAUSE OF ACTION, OR RIGHT AVAILABLE UNDER  
11 COLORADO LAW."

12 Page 16, line 19, strike "**provisions.**" and substitute "**provisions - rules.**".

13 Page 16, strike lines 20 and 21 and substitute "MAY CONDUCT MARKET  
14 EXAMINATIONS OR FINANCIAL EXAMINATIONS OF PROVIDERS UNDER  
15 SECTIONS 10-1-201 TO 10-1-205 TO ENFORCE THIS PART 16."

16 Page 17, after line 1 insert:

17 "(2) THE PROVIDER EXAMINED IN ANY FINANCIAL OR MARKET  
18 CONDUCT EXAMINATION SHALL BEAR THE COST OF THE EXAMINATION IN  
19 ACCORDANCE WITH SECTION 10-1-205 (4)."

20 Renumber succeeding subsections accordingly.

21 Page 17, strike lines 3 and 4 and substitute "MAY TAKE THE FOLLOWING  
22 DISCIPLINARY ACTIONS:".

23 Page 17, after line 21 insert:

24 "(c) A PERSON AGGRIEVED BY ANY ACTION TAKEN OR PENALTY  
25 ASSESSED UNDER THIS SUBSECTION (3) MAY REQUEST A REVIEW IN  
26 ACCORDANCE WITH SECTION 10-1-205 (4)."

27 Page 17, line 26, strike "(3)" and substitute "(4)".

28 Page 18, strike lines 2 through 16 and substitute:

1           "(5) THE COMMISSIONER MAY PROMULGATE RULES TO IMPLEMENT  
2 THE PROVISIONS OF THIS PART 16.  
3           **SECTION 3.** In Colorado Revised Statutes, 42-11-101, **amend**  
4 (2) as follows:  
5           **42-11-101. Definitions.** As used in this article, unless the context  
6 otherwise requires:  
7           (2) "Motor vehicle" means any vehicle subject to registration  
8 under section 42-1-102 (58) OR ANY POWERSPORTS VEHICLE AS DEFINED  
9 IN SECTION 12-6-502 (10), C.R.S.  
10          **SECTION 4. Act subject to petition - effective date -**  
11 **applicability.** (1) This act takes effect January 1, 2015; except that, if a  
12 referendum petition is filed pursuant to section 1 (3) of article V of the  
13 state constitution against this act or an item, section, or part of this act  
14 within the ninety-day period after final adjournment of the general  
15 assembly, then the act, item, section, or part will not take effect unless  
16 approved by the people at the general election to be held in November  
17 2014 and, in such case, will take effect on January 1, 2015, or on the date  
18 of the official declaration of the vote thereon by the governor, whichever  
19 is later."

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