

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

DRAFT
10.19.15

BILL 7

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Committee\16-0399.wpd*

LLS NO. 16-0399.01 Richard Sweetman x4333

INTERIM COMMITTEE BILL

School Safety and Youth in Crisis Committee

BILL TOPIC: "Insurance Coverage School Districts"

A BILL FOR AN ACT

101 **CONCERNING SELF-INSURANCE POOLS THAT PROVIDE INSURANCE**
102 **COVERAGE TO SCHOOL DISTRICTS.**

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/billssummaries>.)

School Safety and Youth in Crisis Committee. Under current law, a self-insurance pool authorized pursuant to the "Colorado Governmental Immunity Act" is not construed as an insurance company or subjected to state laws regulating insurance companies. The bill states

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

that a self-insurance pool that provides insurance coverage to school districts is an insurance company.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-10-115.5, **amend**
3 (2) as follows:

4 **24-10-115.5. Authority for public entities to pool insurance**
5 **coverage.** (2) Any self-insurance pool authorized by subsection (1) of
6 this section shall not be construed to be an insurance company nor
7 otherwise subject to the provisions of the laws of this state regulating
8 insurance or insurance companies; except that:

9 (a) The pool shall comply with the applicable provisions of
10 sections 10-1-203 and 10-1-204 (1) to (5) and (10), C.R.S.; AND

11 (b) A SELF-INSURANCE POOL THAT PROVIDES INSURANCE
12 COVERAGE TO SCHOOL DISTRICTS IS AN INSURANCE COMPANY FOR
13 PURPOSES OF TITLE 10, C.R.S.

14 **SECTION 2.** In Colorado Revised Statutes, 10-4-419, **amend** (6)
15 as follows:

16 **10-4-419. Claims-made policy forms.** (6) This section ~~shall~~
17 DOES not apply to any public entity self-insurance pool formed pursuant
18 to section 24-10-115.5, C.R.S., or to any policy, certificate, or contract of
19 insurance offered or issued by an insurer to such a pool; EXCEPT THAT
20 THIS SECTION DOES APPLY TO A SELF-INSURANCE POOL THAT PROVIDES
21 INSURANCE COVERAGE TO SCHOOL DISTRICTS.

22 **SECTION 3. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2016 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.