

GENERAL ASSEMBLY

Research Notes are prepared by Legislative Council Staff's nonpartisan research and committee staff. Research notes provide a summary of the bill, background information on the bill, and information on committee hearings and amendments adopted on the bill as it moves through the legislative process. Legislative Council Staff prepares final research notes for bills passed by the General Assembly as well as select bills that were considered but not adopted, and may be accessed through the links below. Research notes are provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly.

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Provision of Security for General Assembly



Legislative Council Staff

Research Note

Bill Number: HB15-1335

Short Title: *Fiscal Notes For Interim Committee Bills*

Prime Sponsors: Representative Sias
Senator Woods

Research Analyst: Katie Ruedebusch (x3001)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 4, 2015.

Summary

This bill requires that a fiscal note be prepared for all bills considered by interim committees, before the committee votes on recommendations to the Legislative Council. In order for an interim committee to have time to consider the fiscal note before recommending legislation, the deadlines for requesting bills will be adjusted.

Background

Interim committees generally meet between the months of June and September to hear testimony, discuss issues, and recommend legislation for the following legislative session. At the end of each interim, the Legislative Council reviews and approves interim committee recommended legislation before the legislation can be introduced in the following regular session.

Fiscal notes are a summary of a proposed law, an explanation of its fiscal impact on state and local government revenue and spending, and an explanation of how it will be implemented. Before House Bill 15-1335, fiscal notes were prepared for all bills introduced in the legislature, including interim committee bills that were approved by the 18-member Legislative Council for introduction in the following regular legislative session.

Legislative Council's duties include reviewing the Legislative Council Staff's budget, prioritizing interim study proposals, reviewing the ballot information booklet (Blue Book), and reviewing interim committee recommendation. Legislative Council is comprised of nine senators and nine representatives, including the six members of the Executive Committee. The Senate

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President, Majority Leader, and Minority Leader, and the House Speaker, Majority Leader, and Minority Leader make up the Executive Committee.

House Action

House Finance Committee (April 29, 2015). At the hearing, representatives of the Bell Policy Center and the Colorado Fiscal Institute testified in support of the bill. The committee adopted amendment L.001, which removed language in the bill establishing the deadlines for fiscal notes by rule. The committee referred the bill, as amended, to the House Committee of the Whole.

House second reading (April 30, 2015). The House Committee of the Whole adopted the Finance committee report and passed the bill on second reading.

House third reading (May 1, 2015). The bill passed the House with no further amendments.

Senate Action

Senate Finance Committee (May 1, 2015). The committee referred the bill to the Senate Committee of the Whole with the recommendation that it be placed on the consent calendar.

Senate second reading (May 5, 2015). The bill passed the Senate Committee of the Whole on second reading.

Senate third reading (May 6, 2015). The bill passed the Senate with no amendments.

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Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-264

Short Title: *Revisor's Bill*

Prime Sponsors: Senator Johnston
Representative Kagan

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which became effective on August 5, 2015.

Summary

Senate Bill 15-264, the Revisor's Bill, makes nonsubstantive revisions to the Colorado Revised Statutes. The bill amends or repeals obsolete, imperfect, and inoperative law.

Background

The Revisor's Bill, authorized by Section 2-5-104, C.R.S., and recommended by the Committee on Legal Services, amends or repeals obsolete, unclear, or conflicting laws. The bill also clarifies statutory language, but does not change the intent or meaning of existing statute. The bill's appendix explains the reasons for each amendment.

A section of Senate Bill 15-264 amends the Colorado Revised Statutes as amended by House Bill 15-1033. That section becomes effective only if House Bill 15-1033 becomes law. House Bill 15-1033 was signed by the governor and became effective on June 4, 2015.

Committee on Legal Services Action

Committee on Legal Services (December 19, 2014). The Committee on Legal Services considered the bill, and unanimously approved a motion to sponsor the bill. Senator Johnston and Representative Kagan were assigned as prime sponsors.

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Senate Action

Senate Judiciary Committee (April 22, 2015). There was no testimony on the bill at the hearing before the Senate Judiciary Committee. The committee adopted amendments L.001, L.002, L.003, L.004, and L.005, which make further nonsubstantive revisions to the Colorado Revised Statutes. The committee referred the bill, as amended, to the Senate Committee of the Whole, with a recommendation that it be placed on the consent calendar.

Senate second reading (April 24, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report and passed the bill on second reading.

Senate third reading (April 27, 2015). The Senate adopted the bill on third reading.

Senate consideration of House amendments (May 4, 2015). The Senate concurred with the House amendments and repassed the bill.

House Action

House Judiciary Committee (April 30, 2015). There was no testimony on the bill at the hearing before the House Judiciary Committee. The committee adopted amendment L.006, which makes nonsubstantive revisions to the Colorado Revised Statutes, as amended by House Bill 15-1033, and amends the effective date of the Revisor's Bill to reflect that the section concerning House Bill 15-1033 only becomes effective if that bill becomes law. The committee referred the bill, as amended, to the House Committee of the Whole.

House second reading (May 1, 2015). The House Committee of the Whole adopted the House Judiciary Report and passed the bill on second reading.

House third reading (May 4, 2015). The House passed the bill on third reading.



Legislative Council Staff

Research Note

Bill Number: SB15-220

Short Title: *Provision Of Security For General Assembly*

Prime Sponsors: Senators Carroll and Cadman
Representatives Duran and DelGrosso

Research Analyst: Julia Jackson

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 5, 2015.

Summary

The bill clarifies the role of the Colorado State Patrol in protecting members of the General Assembly. Specifically, it requires the State Patrol to:

- provide protection for members of the General Assembly in the State Capitol and surrounding buildings;
- respond to complaints relating to criminal activity or security threats against a member of the General Assembly; and
- provide law enforcement services for legislative buildings.

The State Patrol may also provide other security services and protection as requested by legislative leadership, or for any function in Colorado attended by a legislator in an official capacity. When considering whether to provide security at one of these functions, the bill directs the State Patrol to consider the location of the function, the function's estimated threat level, and staffing requirements. The State Patrol must also coordinate with local enforcement when providing such services.

Background

Colorado State Patrol's Executive Security Unit provides security at the State Capitol Building, surrounding buildings and grounds, and the Governor's Residence. The unit controls access to the State Capitol Building, the State Services Building at 1525 Sherman Street, and the Ralph Carr Judicial Center. It monitors these buildings and others from its command center across 14th Street from the Capitol.

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State law directs the State Patrol to enforce all state laws with respect to grounds and buildings owned by the state, and it specifies that the State Patrol must provide a car and driver for the Governor and a car for the Lieutenant Governor. The State Patrol is further required by law to assign officers to protect the Governor and his immediate family, and, at the Governor's discretion, the Lieutenant Governor.

According to the 2015 Capitol Emergency Action Plan, published by the State Patrol, the State Patrol's current responsibilities include:

- security screening of all visitors;
- responding to duress alarms;
- responding to threats (in person or electronic), suspicious items, or people;
- responding to all calls for service;
- observing the premises on closed circuit television monitors;
- providing and maintaining access codes; and
- protecting the Governor, Lieutenant Governor, General Assembly, state employees, and the public.

Department protocol and memoranda largely govern these activities, rather than state law.

In FY 2014-15, the General Assembly appropriated about \$4.6 million and 70 full-time equivalents to the State Patrol's Executive and Capitol Complex Security Program. About \$300,000 of those funds were reappropriated from the Legislative Department.

Senate Action

Senate State, Veterans, and Military Affairs Committee (April 13, 2015). At the hearing, the State Patrol's legislative liaison testified in support of the bill.

The committee adopted amendment L.002, which amends the introduced bill to clarify language regarding law enforcement services and to make the State Patrol's authority to render additional protection and security services permissive. L.002 also gives the State Patrol the ability to provide protection and security services at any function in Colorado attended by a legislator in an official capacity. The amendment directs the State Patrol to coordinate with local law enforcement when providing such services, and to consider the following factors when determining whether to provide them: the location of the function; the function's estimated threat level; and staffing requirements.

The committee referred the bill, as amended, to the Senate Committee of the Whole and the consent calendar.

Senate second reading (April 17, 2015). The Senate adopted the Senate State, Veterans, and Military Affairs Committee report and passed the bill, as amended, on second reading.

Senate third reading (April 20, 2015). The Senate passed the bill on third reading with no amendments.

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Version: Final

House Action

House Business Affairs and Labor Committee (April 28, 2015). No one testified on the bill at this hearing. The committee referred the bill, unamended, to the House Committee of the Whole.

House second reading (April 29, 2015). The House passed the bill on second reading with no amendments.

House third reading (April 30, 2015). The House passed the bill on third reading with no amendments.

Relevant Research

Final Report of the Legislative Emergency Preparedness, Response, and Recovery Committee (Interim Committee Report, 2014): <http://tinyurl.com/q29a6xy>

Date: 7/2/2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-214

Short Title: *Interim Committee Safe Schools Youth Mental Health*

Prime Sponsors: Senator Scheffel
Representative Duran

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on June 3, 2015.

Summary

Committee creation and charge. Senate Bill 15-214 creates the School Safety and Youth in Crisis Committee (committee) to:

- study issues relating to school safety and the prevention of threats to the safety of students, teachers, administrators, employees, and volunteers;
- study and evaluate programs and methods for identifying and monitoring students in crisis;
- develop standardized criteria for school personnel to use in assessing the potential threat posed by one or more students; and
- study and evaluate the implementation of Senate Bill 15-213, which waives sovereign immunity for certain schools for incidents of school violence.

The study of Senate Bill 15-213 must include consideration of schools' duty to exercise reasonable care to protect all students, faculty, and staff from harm from acts committed by another person when the harm is reasonably foreseeable; potential modification of statutory provisions to reflect local community circumstances and standards; and recommendations for schools to satisfy the duty of reasonable care.

Legislative recommendations and meetings. The bill permits the committee to recommend legislative changes that shall be treated as legislation recommended by an interim committee for purposes of introduction deadlines and bill limitations. The committee may hold up

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to six meetings during the interim, unless additional meetings are authorized by the Executive Committee of the Legislative Council (Executive Committee), and as necessary throughout the year. The committee may form subcommittees and other groups of interested parties as it deems necessary to perform its duties.

Membership. The committee is comprised of eight voting members and eight nonvoting members. The eight voting members consist of four members of the Senate, two appointed by the President of the Senate and two by the Minority Leader of the Senate; and four members of the House, two appointed by the Speaker of the House and two by the Minority Leader of the House. The bill requires the Governor to appoint the eight nonvoting members as follows:

- a licensed school counselor;
- a licensed school educator who is experienced in working with children with disabilities;
- a parent of a student who attended, or is attending, a school of a school district serving 5,000 students or less;
- a parent of a student who attended, or is attending, a school of a school district serving 5,000 students or more;
- a superintendent of a school district;
- a representative of a statewide organization that advocates for juveniles and juvenile justice issues;
- a person who has experience with child or adolescent mental health issues; and
- a person who has experience with school safety or violence prevention.

The bill requires each appointing party to make appointments to the committee on or before June 1, 2015. Each member may serve indefinitely at the discretion of the appointing authority, and the committee members may elect the chair and vice-chair of the committee. Legislative members receive compensation in accordance with existing law and nonlegislative members receive no compensation or reimbursement of expenses.

Staff and repeal. The bill requires the Legislative Council Staff and the Office of Legislative Legal Services to provide support for the committee. The bill's provisions are repealed, effective July 1, 2019.

Background

Interim committees include a committee, subcommittee, ad hoc committee, advisory committee, commission, or task force that is created by bill or by Executive Committee resolution as authorized in Section 2-3-303.3 (3)(c), C.R.S., and an interim study committee requested and established pursuant to Section 2-3-303.3, C.R.S., that operates only during the interim and that is funded within existing appropriations made to the legislative agencies. Interim committees, generally, are governed by the General Assembly's Joint Rule 24A.

Senate Bill 15-213, which the committee is required to study, creates the Claire Davis School Safety Act, which creates a duty for schools to exercise reasonable care to protect all students, faculty, and staff from harm from acts committed by another person when the harm is reasonably foreseeable. Senate Bill 15-213 also waives sovereign immunity for certain incidents of school violence and provides for access to the discovery process for victims of an incident of school violence.

Senate Action

Senate Judiciary Committee (April 13, 2015). The committee heard testimony in support of the bill from representatives of the Colorado Association of School Boards, the Jefferson County Department of Human Services, the Colorado Society of School Psychologists, The Arc of Colorado, Mental Health America of Colorado, the Colorado Educational Association, and a private citizen. There was no testimony in opposition to the bill.

The committee adopted amendments L.004, L.005, L.007, and L.008, which:

- require the Governor to appoint committee members, and remove the authority for an appointee of the Governor to make such appointments;
- remove a member representing the School Safety Resource Center and add a member who is a licensed school educator experienced in working with children with disabilities;
- name the committee the School Safety and Youth in Crisis Committee;
- permit the committee to recommend legislative changes that shall be treated as legislation recommended by an interim committee for purposes of introduction deadlines and bill limitations;
- permit up to six meetings during the interim, unless additional meetings are authorized by the Executive Committee, and as necessary throughout the year;
- provide for assistance for the committee from the staff of the Office of Legislative Legal Services; and
- repeal the law, effective July 1, 2019.

The committee referred the bill, as amended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 17, 2015). The Appropriations Committee amended the Senate Judiciary Committee report to add an appropriation. The committee referred the bill, as amended, to the Senate Committee of the Whole. On the same day, the committee reconsidered the bill, and referred the bill, as amended, to the Senate Committee of the Whole.

Senate second reading (April 22, 2015). The Senate Committee of the Whole adopted the Senate Judiciary Committee report and passed the bill, as amended, on second reading.

Senate third reading (April 23, 2015). The Senate adopted the bill on third reading.

Senate Consideration of House Amendments (May 6, 2015). The Senate concurred with the House amendments and repassed the bill.

Legislative Council Committee Action

Upon introduction in the House, the bill was assigned to the Legislative Council Committee. The committee held a hearing on April 24, 2015, and received no public testimony on the bill. The committee referred the bill, unamended, to the House Education Committee.

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House Action

House Education Committee (May 4, 2015). The committee heard testimony in support of the bill from representatives of Mental Health America, The Arc of Colorado, the Colorado School District Self-Insurance Pool, Consortium of Directors of Special Education, Safe2Tell, Jefferson County Schools, Denver Public Schools, Adams 12 Five Star Schools, and five private citizens. The Attorney General of Colorado also spoke in support of the bill. Additional testimony on the bill was provided by representatives of the Colorado Society of School Psychologists, Safe School Partners, The Arc of Arapahoe and Douglas Counties, and Denver Public Schools.

The committee adopted amendments L.011 and L.016. Amendment L.011 requires the committee to study and evaluate the implementation of Senate Bill 15-213, which waives sovereign immunity for certain schools for incidents of school violence. Such study must include consideration of schools' duty to exercise reasonable care to protect all students, faculty, and staff from harm from acts committed by another person when the harm is reasonably foreseeable; potential modification of statutory provisions to reflect local community circumstances and standards; and recommendations for schools to satisfy the duty of reasonable care.

Amendment L.016 permits the committee to form subcommittees and other groups of interested parties, and increases the number of nonvoting committee members from six to eight. The two additional nonvoting members, one who has experience with child or adolescent mental health issues and one who has experience with school safety or violence prevention, are appointed by the Governor.

The committee referred the bill, as amended, to the House Appropriations Committee.

House Appropriations Committee (May 4, 2015). The Appropriations Committee referred the bill, without further amendment, to the House Committee of the Whole.

House second reading (May 4, 2015). The House Committee of the Whole adopted the House Judiciary Committee report and passed the bill, as amended, on second reading.

House third reading (May 5, 2015). The House passed the bill on third reading.

Relevant Research

School Safety Resource Center, Statistics and Research (Department of Public Safety):
<http://tinyurl.com/p4pw4mh>.

Date: 6/18/2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-047

Short Title: *Voluntary Opt-out Of Rules Notices To Legislators*

Prime Sponsors: Senator Steadman
Representative McCann

Research Analyst: Julia Jackson (x4788)

Current Status

This research note reflects the final version of the bill, which becomes effective on August 5, 2015, assuming no referendum petition is filed.

Summary

The bill allows legislators to opt out of receiving notices about the adoption of rules implementing newly enacted legislation. These notices are sent by the Office of Legislative Legal Services (OLLS) to all cosponsors of the bill the rules are implementing. Under the bill, OLLS may develop a system to enable these voluntary opt-outs. Prime sponsors will still be required to receive rules notifications, but cosponsors may opt out.

Background

The bill was proposed by the Committee on Legal Services. Currently, all prime sponsors and cosponsors of a bill who are still serving in the General Assembly receive an e-mail notification when rules are adopted to implement the bill. Senate Bill 13-030 established this requirement, applicable to legislation enacted on or after January 1, 2013, and associated rules adopted on or after November 1, 2013.

Senate Action

Senate State, Veterans, and Military Affairs Committee (January 21, 2015). No one testified on the bill at this hearing. The committee referred the unamended bill to the Senate Committee of the Whole and the consent calendar.

Date: 6/18/2015

Version: Final

Senate second reading (January 27 2015). The Senate passed the bill on second reading with no amendments.

Senate third reading (January 28, 2015). The Senate passed the bill on third reading with no amendments.

House Action

House State, Veterans, and Military Affairs Committee (March 3, 2015). At the hearing, a representative of OLLS answered questions about the bill.

The committee adopted an amendment to remove the safety clause from the bill and replace it with a petition clause. The committee referred the amended bill to the House Committee of the Whole.

House second reading (March 9, 2015). The House adopted the State, Veterans, and Military Affairs committee report and passed the bill, as amended, on second reading.

House third reading (March 10, 2015). The House passed the bill on third reading with no amendments.

Date: 5/21/2015

Version: Final



Legislative Council Staff

Research Note

Bill Number: SB15-035

Short Title: *Enactment Of 2014 CRS*

Prime Sponsors: Senator Johnston
Representative Kagan

Research Analyst: Conrad Imel (x2756)

Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on February 25, 2015.

Summary

Senate Bill 15-035 enacts the Colorado Revised Statutes 2014 as the positive and statutory law of the state of Colorado and establishes the effective date of said publication.

Background

This bill, called the publications bill, is introduced annually and is sponsored by the Committee on Legal Services. The publications bill annually enacts the most recent compilation of Colorado Revised Statutes, which includes the prior version of the statutes, as amended by any bill enacted during the prior session; any changes made by revision, including grammatical, capitalization, and spelling corrections; harmonizing bills that may have conflicted without changing intent; and changes made by the electorate through propositions.

Committee on Legal Services Action

Committee on Legal Services (December 19, 2014). The Committee on Legal Services considered the bill, and unanimously approved a motion to sponsor the bill. Senator Johnston and Representative Kagan were assigned as prime sponsors.

Senate Action

Senate Judiciary Committee (January 14, 2015). The committee received no testimony on the bill, and referred the bill, unamended, to the Senate Committee of the Whole, with a recommendation that it be placed on the consent calendar.

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Senate second reading (January 20, 2015). The Senate Committee of the Whole passed the bill, unamended, on second reading.

Senate third reading (January 21, 2015). The Senate adopted the bill, unamended, on third reading.

House Action

House Judiciary Committee (January 29, 2015). The committee received no testimony on the bill, and referred the bill, unamended, to the House Committee of the Whole.

House second reading (February 3, 2015). The House Committee of the Whole passed the bill, unamended, on second reading.

House third reading (January 21, 2015). The House adopted the bill, unamended, on third reading.