

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0129.02 Jennifer Berman x3286

HOUSE BILL 25-1154

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A BILL FOR AN ACT

101 **CONCERNING COMMUNICATION SERVICES FOR PEOPLE WITH**
102 **DISABILITIES, AND, IN CONNECTION THEREWITH, CREATING THE**
103 **COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES**
104 **ENTERPRISE AND MAKING AND REDUCING AN APPROPRIATION.**

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://leg.colorado.gov>.)

Under current law, the state librarian administers the reading services for the blind program by supporting privately operated reading services for individuals who are blind or print-disabled, and the Colorado

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
March 11, 2025

HOUSE
Amended 2nd Reading
March 10, 2025

commission for the deaf, hard of hearing, and deafblind coordinates and advocates for the provision of, and access to, services and resources for individuals who are deaf, hard of hearing, or deafblind (services and resources). **Sections 2 through 14** of the bill create the communication services for people with disabilities enterprise (enterprise) to provide these services and resources through imposition of an enterprise fee and administration of the communication services for people with hearing disabilities enterprise cash fund (communication services fund) and the reading services for the blind enterprise cash fund (reading fund).

Section 1 repeals the reading services for the blind function of the state librarian, which function is transferred to the enterprise in **section 8**.

Telecommunications relay services (TRS) are provided for individuals who are deaf, hard of hearing, or deafblind in the state through a monthly surcharge that wireline voice service providers collect from their telephone customers. **Sections 16 and 17** transfer 77% of the money collected from the TRS monthly surcharge to the communication services fund and the reading fund based on the enterprise's imposition of the enterprise fee to finance the services and resources that the enterprise provides.

Sections 15 and 18 through 27 make conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 26-21-101 as
3 follows:

4 **26-21-101. Short title.** The short title of this article 21 is the
5 "~~Colorado Commission for the Deaf, Hard of Hearing, and Deafblind~~
6 "**COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE**
7 **Act**".

8 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
9 **with amendments,** section 26-21-102 as follows:

10 **26-21-102. Legislative declaration.** (1) **THE GENERAL ASSEMBLY**
11 **FINDS AND DECLARES THAT:**

12 (a) **A COMMUNICATIONS SERVICES FOR PEOPLE WITH DISABILITIES**
13 **ENTERPRISE, AS WELL AS THE DIVISION AND COMMISSION, FACILITATES THE**

1 PROVISION OF COMMUNICATION SERVICES THAT ENABLE COMMUNICATION
2 BETWEEN INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, AND
3 DEAFBLIND OR WHO HAVE SPEECH DISABILITIES AND INDIVIDUALS
4 WITHOUT COMMUNICATION-RELATED DISABILITIES;

5 (b) UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
6 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND
7 IMPLEMENTING REGULATIONS, COLORADO HAS A DUTY TO PROVIDE
8 EQUIVALENT ACCESS TO STATE GOVERNMENT AND PUBLIC
9 ACCOMMODATIONS TO PEOPLE WITH COMMUNICATION-RELATED
10 DISABILITIES. THIS DUTY REQUIRES THE PROVISION OF AUXILIARY
11 SERVICES, COMMUNICATIONS TECHNOLOGY EQUIPMENT,
12 TELECOMMUNICATIONS RELAY SERVICES, AND OTHER RESOURCES TO
13 ENSURE ACCESS.

14 (c) CENTRALIZING AND UNIFYING THE RESOURCES CREATES A COST
15 SAVINGS FOR THE STATE, FACILITATES QUALITY CONTROL, AND INCREASES
16 THE EFFECTIVENESS OF SERVICES, WHILE INCREASING ACCESS TO THE
17 SERVICES FOR FEE PAYERS; AND

18 (d) COMMUNICATION BETWEEN FEE PAYERS, BOTH FEE PAYERS
19 WITH COMMUNICATION-RELATED DISABILITIES AND THOSE WITHOUT,
20 REQUIRES TELECOMMUNICATION AND ELECTRONIC TECHNOLOGIES AND
21 IN-PERSON MEANS TO MEET ALL COMMUNICATION NEEDS.

22 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

23 (a) THE COMMUNICATIONS SERVICES FOR PEOPLE WITH
24 DISABILITIES ENTERPRISE CREATED IN THIS ARTICLE 21 PROVIDES
25 VALUABLE BUSINESS SERVICES TO FEE PAYERS BY:

26 (I) COORDINATING THE PROVISION OF, AND ACCESS TO, EFFICIENT
27 AND EFFECTIVE SERVICES AND RESOURCES FOR INDIVIDUALS WHO HAVE

1 COMMUNICATION NEEDS RELATED TO THEIR DISABILITIES, INCLUDING BY:

2 (A) ESTABLISHING AND COORDINATING A COMMUNICATIONS
3 TECHNOLOGY PROGRAM TO OBTAIN AND DISTRIBUTE INTERACTIVE
4 TELECOMMUNICATIONS AND OTHER COMMUNICATIONS TECHNOLOGY
5 EQUIPMENT NEEDED BY INDIVIDUALS WHO HAVE COMMUNICATION NEEDS
6 RELATED TO THEIR DISABILITIES TO ASSIST THEM IN COMMUNICATING WITH
7 INDIVIDUALS WITH AND WITHOUT THE SAME COMMUNICATION-RELATED
8 DISABILITIES;

9 (B) ESTABLISHING AND COORDINATING A TELECOMMUNICATIONS
10 RELAY SERVICE PROGRAM FOR INDIVIDUALS IN THE STATE WHO ARE DEAF,
11 HARD OF HEARING, DEAFBLIND, OR SPEECH DISABLED TO ASSIST THEM IN
12 COMMUNICATING WITH FEE PAYERS WITH AND WITHOUT
13 COMMUNICATION-RELATED DISABILITIES;

14 (C) ARRANGING FOR QUALIFIED AUXILIARY SERVICES FOR THE
15 STATE COURT SYSTEM AND FOR RURAL AREAS OF THE STATE FOR
16 INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND; AND

17 (D) APPROVING SIGN LANGUAGE INTERPRETER CERTIFICATIONS AS
18 VALID AND RELIABLE IN THE STATE, THEREBY ENABLING APPROPRIATE
19 COMMUNICATION ACCESS SERVICES IN RELATION TO THE WORKFORCE AND
20 IN COMMERCE; AND

21 (II) COORDINATING AND SUPPORTING THE SERVICES AND
22 RESOURCES DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION. THE
23 ENTERPRISE AND DIVISION HELP FACILITATE THE ENGAGEMENT OF
24 INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
25 HAVE SPEECH OR OTHER COMMUNICATION-RELATED DISABILITIES IN THE
26 WORKFORCE AND IN COMMERCE, THUS PROVIDING BENEFITS TO COLORADO
27 BUSINESSES AND THEIR CUSTOMERS THAT BENEFIT FROM THE ECONOMIC

1 DEVELOPMENT STIMULATED BY THE WORKFORCE AND COMMERCIAL
2 ENGAGEMENT.

3 (b) BY PROVIDING THE SERVICES AND RESOURCES DESCRIBED IN
4 SUBSECTION (2)(a) OF THIS SECTION, THE ENTERPRISE ENGAGES IN AN
5 ACTIVITY THAT IS CONDUCTED IN THE PURSUIT OF A BENEFIT, GAIN, OR
6 LIVELIHOOD;

7 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
8 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
9 P.2d 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
10 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
11 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
12 THAT THE REVENUE COLLECTED BY THE ENTERPRISE IS GENERATED BY
13 FEES, NOT TAXES, BECAUSE THE MONEY CREDITED TO THE ENTERPRISE IS:

14 (I) FOR THE SPECIFIC PURPOSE OF ALLOWING THE ENTERPRISE TO
15 DEFRAID THE COSTS OF PROVIDING THE SERVICES AND RESOURCES
16 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION;

17 (II) COLLECTED AT RATES THAT ARE REASONABLY RELATED TO
18 THE COSTS OF THE SERVICES AND RESOURCES PROVIDED BY THE
19 ENTERPRISE; AND

20 (III) SO LONG AS THE ENTERPRISE QUALIFIES AS AN ENTERPRISE
21 FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION,
22 NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102
23 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c),
24 AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR SPENDING
25 LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION
26 OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6
27 (6)(b)(I)(G).

1 (d) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
2 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
3 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
4 AND SURCHARGES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL
5 IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE
6 ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION
7 24-77-108.

8 (e) FOR PURPOSES OF THE LIMIT SET FORTH IN SECTION 24-77-108,
9 THE FIRST FISCAL YEAR OF THE ENTERPRISE IS FISCAL YEAR 2024-25.

10 **SECTION 3.** In Colorado Revised Statutes, 26-21-103, **amend**
11 **(3); repeal (1); and add (2.3), (3.5), (4.4), (4.5), (4.6), (8.5), (11), and**
12 **(12) as follows:**

13 **26-21-103. Definitions.** As used in this article 21, unless the
14 context otherwise requires:

15 (1) ~~"Advisory council" means the Colorado deafblind advisory~~
16 ~~council appointed by the commission in accordance with section~~
17 ~~26-21-105 (2)(f).~~

18 (2.3) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE
19 ENTERPRISE APPOINTED PURSUANT TO SECTION 26-21-103.5 (2).

20 (3) "Commission" means the Colorado commission for the deaf,
21 hard of hearing, and deafblind ADVISORY COUNCIL CREATED PURSUANT
22 TO SECTION 26-21-104 (1).

23 (3.5) "COMMUNICATION ACCESS REALTIME TRANSLATION" OR
24 "CART" HAS THE SAME MEANING AS "COMMUNICATION ACCESS REALTIME
25 TRANSLATION (CART) REPORTER", AS SET FORTH IN SECTION 13-90-202
26 (5).

27 (4.4) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF

1 HEARING, AND DEAFBLIND CREATED IN SECTION 26-21-106 WITHIN THE
2 ENTERPRISE.

3 (4.5) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
4 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

5 (4.6) "FUND" MEANS THE COLORADO DIVISION FOR THE DEAF,
6 HARD OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION
7 26-21-107.

8 (8.5) "PREPAID TELEPHONE DISABILITY ACCESS CHARGE" OR
9 "CHARGE" MEANS THE CHARGE IMPOSED BY THE ENTERPRISE PURSUANT
10 TO SECTION 26-21-103.5 (1)(a)(III).

11 (11) "TELECOMMUNICATIONS RELAY SERVICES" MEANS ANY
12 TELECOMMUNICATIONS SERVICES THROUGH A THIRD PARTY THAT ALLOW
13 AN INDIVIDUAL WHO IS DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
14 HAS A SPEECH DISABILITY TO COMMUNICATE BY ANY COMPATIBLE
15 TELECOMMUNICATIONS SERVICE WITH ONE OR MORE INDIVIDUALS IN A
16 MANNER THAT IS FUNCTIONALLY EQUIVALENT TO THE ABILITY OF AN
17 INDIVIDUAL WHO DOES NOT HAVE A HEARING OR SPEECH DISABILITY.

18 (12) "TELEPHONE DISABILITY ACCESS SURCHARGE" OR
19 "SURCHARGE" MEANS THE SURCHARGE IMPOSED BY THE ENTERPRISE
20 PURSUANT TO SECTION 26-21-103.5 (1)(a)(II).

21 **SECTION 4.** In Colorado Revised Statutes, **add** 26-21-103.5 as
22 follows:

23 **26-21-103.5. Communication services for people with**
24 **disabilities enterprise - created - board of directors - membership -**
25 **fees imposed - repeal.** (1) (a) THE COMMUNICATION SERVICES FOR
26 PEOPLE WITH DISABILITIES ENTERPRISE IS CREATED IN THE STATE
27 DEPARTMENT FOR THE BUSINESS PURPOSES OF:

1 (I) COORDINATING THE PROVISION OF, AND ACCESS TO, EFFICIENT
2 AND EFFECTIVE SERVICES AND RESOURCES FOR INDIVIDUALS WHO HAVE
3 COMMUNICATION NEEDS RELATED TO THEIR DISABILITIES, INCLUDING
4 FUNDING THE DIVISION'S DUTIES, AS DESCRIBED IN SECTION 26-21-106;

5 (II) IMPOSING A TELEPHONE DISABILITY ACCESS SURCHARGE ON
6 SERVICE USERS, AS DEFINED IN SECTION 40-17-101 (11), IN CONSULTATION
7 WITH THE PUBLIC UTILITIES COMMISSION, IN AN AMOUNT NOT TO EXCEED
8 FIFTEEN CENTS PER MONTH PER TELEPHONE ACCESS LINE, AS DEFINED IN
9 SECTION 40-17-101 (10). THE AMOUNT OF THE SURCHARGE SHALL BE
10 REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE AMOUNT OF THE
11 SURCHARGE, IN COMBINATION WITH THE PREPAID TELEPHONE DISABILITY
12 ACCESS CHARGE, SHALL BE SET AT A RATE REASONABLY RELATED TO THE
13 OVERALL COST OF PROVIDING THE SERVICES DESCRIBED IN THIS
14 SUBSECTION (1)(a). THE AMOUNT OF THE SURCHARGE IMPOSED PER
15 TELEPHONE ACCESS LINE MUST BE UNIFORM, REGARDLESS OF THE
16 TECHNOLOGY USED TO PROVIDE THE TELEPHONE ACCESS LINE.

17 (III) IMPOSING A PREPAID TELEPHONE DISABILITY ACCESS CHARGE
18 ON EACH RETAIL TRANSACTION, AS DEFINED IN SECTION 40-17-101 (6), IN
19 AN AMOUNT TO BE ESTABLISHED ANNUALLY BY THE ENTERPRISE, IN
20 CONSULTATION WITH THE PUBLIC UTILITIES COMMISSION, BUT NOT TO
21 EXCEED FIFTEEN CENTS PER EACH RETAIL TRANSACTION IN WHICH PREPAID
22 WIRELESS SERVICE IS PURCHASED IN COLORADO. THE AMOUNT OF THE
23 CHARGE SHALL BE REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE
24 AMOUNT OF THE CHARGE, IN COMBINATION WITH THE TELEPHONE
25 DISABILITY ACCESS SURCHARGE, SHALL BE SET AT A RATE REASONABLY
26 RELATED TO THE OVERALL COST OF PROVIDING THE SERVICES DESCRIBED
27 IN THIS SUBSECTION (1)(a).

1 (IV) IN CONSULTATION WITH THE PUBLIC UTILITIES COMMISSION
2 AND THE DEPARTMENT OF EDUCATION, ONCE PER YEAR, IF NEEDED,
3 ADJUSTING THE PERCENTAGE OF THE TELEPHONE DISABILITY ACCESS
4 SURCHARGE AND THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE TO
5 BE USED FOR THE COLORADO DIVISION FOR THE DEAF, HARD OF HEARING,
6 AND DEAFBLIND CASH FUND AND THE READING SERVICES FOR THE BLIND
7 CASH FUND CREATED IN SECTION 24-90-105.5 AND BY THE STATE
8 LIBRARIAN FOR THE TALKING BOOK LIBRARY WITHIN THE DEPARTMENT OF
9 EDUCATION.

10 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
11 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, SO LONG AS
12 THE ENTERPRISE RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND
13 RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN
14 GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS
15 COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO
16 THIS SUBSECTION (1)(b), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20
17 OF ARTICLE X OF THE STATE CONSTITUTION.

18 (c) THE BOARD SHALL ADMINISTER THE ENTERPRISE IN
19 ACCORDANCE WITH THIS SECTION.

20 (d) THE ENTERPRISE MAY ISSUE REVENUE BONDS TO PAY FOR THE
21 EXPENSES OF THE ENTERPRISE, WHICH BONDS ARE SECURED BY REVENUE
22 OF THE ENTERPRISE.

23 (e) THE ENTERPRISE MAY ENGAGE THE SERVICES OF CONTRACTORS
24 AND CONSULTANTS FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND
25 TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF
26 THE ENTERPRISE, WITHOUT REGARD TO THE "PROCUREMENT CODE",
27 ARTICLES 101 TO 112 OF TITLE 24. THE ENTERPRISE SHALL ENGAGE THE

1 ATTORNEY GENERAL'S OFFICE FOR LEGAL SERVICES. THE STATE MAY
2 PROVIDE OFFICE SPACE AND STAFF TO THE ENTERPRISE PURSUANT TO A
3 FAIR MARKET RATE CONTRACT ENTERED INTO PURSUANT TO THIS
4 SUBSECTION (1)(e).

5 (f) THE ENTERPRISE SHALL NOT INCREASE THE AMOUNTS OF THE
6 TELEPHONE DISABILITY ACCESS SURCHARGE OR THE PREPAID TELEPHONE
7 DISABILITY ACCESS CHARGE IN AN AMOUNT THAT CAUSES THE
8 CUMULATIVELY COLLECTED FEES TO EXCEED ONE HUNDRED MILLION
9 DOLLARS IN THE FIRST FIVE YEARS OF THE ENTERPRISE'S EXISTENCE.

10 (2) (a) (I) THE ENTERPRISE SHALL BE GOVERNED BY A BOARD OF
11 DIRECTORS APPOINTED BY THE GOVERNOR. THE BOARD MUST NOT EXCEED
12 SEVEN MEMBERS AND MUST ALWAYS CONSIST OF AN ODD NUMBER OF
13 MEMBERS.

14 (II) MEMBERS OF THE BOARD SERVE THREE-YEAR TERMS; EXCEPT
15 THAT THE TERMS SHALL BE STAGGERED SO THAT NO MORE THAN THREE
16 MEMBERS' TERMS EXPIRE IN THE SAME YEAR. THE GOVERNOR SHALL NOT
17 APPOINT A MEMBER FOR MORE THAN TWO CONSECUTIVE TERMS.

18 (III) BOARD MEMBERS DO NOT RECEIVE COMPENSATION FOR
19 PERFORMING OFFICIAL DUTIES OF THE BOARD BUT MAY RECEIVE A PER
20 DIEM OR REIMBURSEMENT FOR TRAVEL AND OTHER REASONABLE AND
21 NECESSARY EXPENSES FOR PERFORMING OFFICIAL DUTIES OF THE BOARD.
22 THE PER DIEM OR REIMBURSEMENT IS PAID FROM THE FUND.

23 (b) (I) THE GOVERNOR SHALL APPOINT MEMBERS OF THE BOARD ON
24 OR BEFORE JUNE 30, 2025.

25 (II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

26 (c) (I) THE GOVERNOR SHALL CALL THE FIRST MEETING OF THE
27 BOARD ON OR BEFORE OCTOBER 1, 2025.

1 (II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE JULY 1, 2026.

2 SECTION 5. In Colorado Revised Statutes, 26-21-104, amend
3 (1); and add (5) as follows:

4 26-21-104. Commission created - appointments - repeal.

5 (1) The Colorado commission for the deaf, hard of hearing, and
6 deafblind ADVISORY COUNCIL is created in the STATE department. ~~of~~
7 human services. THE DIVISION IS UNDER THE JURISDICTION OF THE
8 COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE.

9 The commission is a ~~type 2~~ entity, as defined in section 24-1-105, and
10 exercises its powers and performs its duties and functions under the
11 STATE department. ~~of human services~~. THE DIVISION AND COMMISSION
12 SHALL ADVISE THE ENTERPRISE AND STATE AGENCIES REGARDING THE
13 PROVISION OF SERVICES AND RESOURCES FOR THE DEAF,
14 HARD-OF-HEARING, AND DEAFBLIND COMMUNITY.

15 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2031.
16 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN
17 ACCORDANCE WITH SECTION 2-3-1203.

18 SECTION 6. In Colorado Revised Statutes, 26-21-105, amend
19 (1); repeal (2)(f); and add (2)(g) and (5) as follows:

20 26-21-105. Appointment of division director - division
21 ~~procedures - commission's advisory role - repeal~~. (1) The executive
22 director ~~of the department of human services~~ or the executive director's
23 designee shall appoint a director of the ~~commission~~ DIVISION. The
24 ~~executive director of the department~~ COMMISSION shall provide comment
25 and input ~~to the commission~~ on the hiring of the DIVISION director.

26 (2) (f) ~~(f) There is created the Colorado deafblind advisory council~~
27 ~~consisting of seven members.~~

1 ~~(H) The advisory council shall advise the commission, state and~~
2 ~~local governments, and other relevant entities on how to increase~~
3 ~~competitive integrated employment as defined in section 8-84-301,~~
4 ~~enlarge economic opportunities, enhance independence and~~
5 ~~self-sufficiency, and improve services for deafblind persons.~~

6 ~~(HH) The commission shall appoint initial members to the advisory~~
7 ~~council by July 1, 2019. The commission shall designate four members~~
8 ~~to serve an initial four-year term and three members to serve an initial~~
9 ~~six-year term. After the initial terms, all subsequent appointees serve~~
10 ~~four-year terms. The commission shall appoint a qualified person to fill~~
11 ~~any vacancy on the advisory council for the remainder of any unexpired~~
12 ~~term. The advisory council has the following appointees:~~

- 13 ~~(A) One member who is deaf and blind;~~
- 14 ~~(B) One member who is deaf and low vision;~~
- 15 ~~(C) One member who is hard of hearing and blind;~~
- 16 ~~(D) One member who is hard of hearing and low vision;~~
- 17 ~~(E) One member who is latent deafblind;~~
- 18 ~~(F) One member who is a professional working with the deafblind~~
19 ~~community; and~~
- 20 ~~(G) One member who is a parent of a deafblind child.~~

21 ~~(g) THE COMMISSION SHALL ADVISE THE DIVISION ON ITS~~
22 ~~FUNCTIONS AND DUTIES AS SET FORTH IN SECTION 26-21-106.~~

23 ~~(5) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5)~~
24 ~~ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2031. BEFORE THE REPEAL,~~
25 ~~SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5) ARE~~
26 ~~SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.~~

27 **SECTION 7.** In Colorado Revised Statutes, 26-21-106, **amend**

1 (1) introductory portion, (1)(d), (1)(e) introductory portion, (1)(e)(I),
2 (1)(e)(II), (1)(f), (2), (3), (4) introductory portion, (4)(g)(II) introductory
3 portion, (4)(g)(II)(B), (6), (7) introductory portion, (7)(a), (7)(b), (8)
4 introductory portion, (8.5), (9)(a) introductory portion, (9)(a)(VIII),
5 (9)(b), and (9)(c)(I); **repeal** (9)(a)(IX); and **add** (1)(g), (1.5), and (1.7) as
6 follows:

7 **26-21-106. Division for the deaf, hard of hearing, and**
8 **deafblind - creation - powers, functions, and duties - programs -**
9 **report - rules - definitions.** (1) THE DIVISION FOR THE DEAF, HARD OF
10 HEARING, AND DEAFBLIND IS CREATED IN THE COMMUNICATION SERVICES
11 FOR PEOPLE WITH DISABILITIES ENTERPRISE. The powers, functions, and
12 duties of the ~~commission~~ DIVISION include:

13 (d) Assessing how communications technology has affected the
14 needs of THE deaf, hard of hearing, and deafblind, ~~The commission shall~~
15 ~~assess~~ INCLUDING the type and amount of equipment needed by THE deaf,
16 hard-of-hearing, and deafblind ~~persons~~ COMMUNITY AND
17 SPEECH-DISABLED INDIVIDUALS who qualify under the federal poverty
18 guidelines established in accordance with the "Omnibus Budget
19 Reconciliation Act of 1981", 42. U.S.C. 9902 (2);

20 (e) Assessing the needs of THE deaf, hard-of-hearing, and
21 deafblind COMMUNITY and reporting annually to the governor and the
22 general assembly any recommendations for legislation ~~or~~ and
23 administrative changes that may facilitate or streamline the provision of
24 ~~general~~ government services to INDIVIDUALS WHO ARE deaf, hard of
25 hearing, ~~and~~ OR deafblind. Notwithstanding section 24-1-136 (11)(a)(I),
26 on or before September 1 of each year, the ~~commission must~~ DIVISION
27 SHALL file the report required by this subsection (1)(e). In preparing the

1 annual report and recommendations, the ~~commission~~ DIVISION shall
2 consider the following:

3 (I) Whether any existing statutory or administrative provisions
4 impede the ability of the ~~commission~~ DIVISION to act as a statewide
5 coordinating agency advocating for INDIVIDUALS WHO ARE deaf, hard of
6 hearing, ~~and~~ OR deafblind individuals in Colorado; AND

7 (II) Any methods, programs, or policies that may improve
8 communication AND ENVIRONMENTAL accessibility and quality of existing
9 services, promote or deliver necessary new services, and assist state
10 agencies in the delivery of services to deaf, hard-of-hearing, and
11 deafblind INDIVIDUALS;

12 (f) Approving ~~an entity's certification of~~ A sign language
13 ~~interpreters~~ INTERPRETER'S CERTIFICATIONS AS VALID AND RELIABLE in
14 accordance with section 6-1-707 (1)(e)(I)(B); AND

15 (g) COORDINATING THE PROVISION OF A TELECOMMUNICATIONS
16 RELAY SERVICE PROGRAM FOR INDIVIDUALS IN THE STATE WHO ARE DEAF,
17 HARD OF HEARING, OR DEAFBLIND OR SPEECH-DISABLED. IN DOING SO,
18 THIS SERVICE SHALL:

19 (I) CONFORM WITH SECTION 401 OF THE FEDERAL "AMERICANS
20 WITH DISABILITIES ACT OF 1990", 47 U.S.C. SEC. 225, INCLUDING THE
21 PROVISION FOR STATE APPLICATION TO THE FEDERAL COMMUNICATIONS
22 COMMISSION FOR CERTIFICATION;

23 (II) MEET OR EXCEED ALL OPERATIONAL, TECHNICAL, AND
24 FUNCTIONAL MINIMUM STANDARDS IN FEDERAL COMMUNICATIONS
25 COMMISSION REGULATIONS GOVERNING TELECOMMUNICATION RELAY
26 SERVICES UNDER 47 CFR 64 SUBPART F AND 47 CFR 9 SUBPART E.

27 (1.5) (a) ON AND AFTER JUNE 30, 2025, THE RIGHTS, POWERS,

1 DUTIES, AND FUNCTIONS REGARDING THE TELECOMMUNICATIONS RELAY
2 SERVICES VESTED IN THE PUBLIC UTILITIES COMMISSION PRIOR TO THAT
3 DATE ARE TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION TO THE
4 DIVISION FOR THE DIVISION TO PERFORM THE FUNCTIONS DESCRIBED IN
5 SUBSECTION (1)(g) OF THIS SECTION.

6 (b) (I) ON AND AFTER JUNE 30, 2025, WHENEVER ANY PROVISION
7 OF LAW REFERS TO THE PUBLIC UTILITIES COMMISSION IN CONNECTION
8 WITH THE FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS
9 SUBSECTION (1.5), THE LAW SHALL BE CONSTRUED AS REFERRING TO THE
10 DIVISION.

11 (II) ANY CONTRACT ENTERED INTO BY THE PUBLIC UTILITIES
12 COMMISSION PRIOR TO JUNE 30, 2025, IN CONNECTION WITH THE
13 FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS
14 SUBSECTION (1.5) IS VALIDATED, WITH THE DIVISION SUCCEEDING TO ALL
15 RIGHTS AND OBLIGATIONS UNDER THE CONTRACT.

16 (III) ON AND AFTER JUNE 30, 2025, THE DIVISION SHALL SATISFY
17 ANY OBLIGATIONS INCURRED BY THE PUBLIC UTILITIES COMMISSION, BUT
18 NOT YET PAID, IN CONNECTION WITH THE FUNCTIONS TRANSFERRED TO THE
19 DIVISION PURSUANT TO THIS SUBSECTION (1.5).

20 (1.7) PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE
21 DIVISION DIRECTOR AND THE BOARD AND WITHOUT REGARD TO THE
22 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, THE DIVISION
23 SHALL PROVIDE ADMINISTRATIVE, PROFESSIONAL, AND TECHNICAL STAFF
24 TO ASSIST THE BOARD WITH THE CONDUCT OF THE AFFAIRS OF THE
25 ENTERPRISE.

26 (2) The ~~commission~~ DIVISION shall consider the findings of any
27 study authorized under this section and may approve, disapprove, or

1 amend the findings. After consideration of the findings, the ~~commission~~
2 DIVISION shall submit a report with recommendations, including proposed
3 legislation, if necessary, to the governor and to the general assembly. The
4 ~~commission~~ DIVISION shall submit the report annually, notwithstanding
5 section 24-1-136 (1)(a)(I), and may combine the report with, or include
6 the report as a part of, the annual report prepared under subsection (1)(e)
7 of this section.

8 (3) The ~~commission~~ DIVISION shall establish and coordinate a
9 communications technology program that is consistent with the findings
10 of subsection (1) of this section to obtain and distribute interactive
11 telecommunications and other communications technology equipment
12 needed by INDIVIDUALS WHO ARE deaf, hard of hearing, ~~and~~ OR deafblind
13 ~~persons~~ OR SPEECH-DISABLED.

14 (4) The ~~commission~~ DIVISION, in collaboration with the judicial
15 department, shall arrange for auxiliary services FOR DEAF,
16 HARD-OF-HEARING, AND DEAFBLIND INDIVIDUALS for the state court
17 system. Arranging auxiliary services for the state court system includes:

18 (g) (II) ~~For the purposes of~~ AS USED IN this subsection (4)(g):

19 (B) "Qualified interpreter" means ~~a person~~ AN INDIVIDUAL who
20 has a valid certification of competency accepted by the ~~commission~~
21 DIVISION and includes ~~but is not limited to~~, oral interpreters, sign
22 language interpreters, and intermediary interpreters.

23 (6) The ~~commission~~ DIVISION shall establish and maintain
24 outreach and consulting services to improve and ensure effective access
25 to auxiliary services by critical state and local government agencies,
26 private agencies, and other entities. The ~~commission~~ DIVISION shall also
27 use these services to increase awareness of the programs ~~funded by the~~

1 Colorado telephone users with disabilities fund established pursuant to
2 section 40-17-104 THAT THE DIVISION FUNDS AND ADMINISTERS FOR THE
3 PUBLIC.

4 (7) The ~~commission's~~ DIVISION'S outreach and consulting services
5 include the following duties:

6 (a) Provide resources to DEAF, HARD-OF-HEARING, AND DEAFBLIND
7 individuals who have encountered barriers to obtaining necessary
8 services;

9 (b) Assist DEAF, HARD-OF-HEARING, AND DEAFBLIND individuals
10 in understanding and accessing services that may be available to them;

11 (8) The ~~commission~~ DIVISION shall maintain a community access
12 program for one-on-one system navigating services to ensure resources
13 are available to DEAF, HARD-OF-HEARING, AND DEAFBLIND individuals and
14 to protect each ~~person's~~ INDIVIDUAL'S right to effective communication
15 and access to environmental information. The community access program
16 must include the following:

17 (8.5) **Community intervener program.** (a) ~~On or before October~~
18 ~~1, 2023, the commission~~ THE DIVISION shall establish a family and
19 community intervener program. The family and community intervener
20 program shall work with ~~children~~ INDIVIDUALS who are deafblind to
21 facilitate critical connections between the ~~child~~ INDIVIDUAL and the
22 ~~child's~~ INDIVIDUAL'S family, community, and environment. The family
23 and community intervener program must include ~~but need not be limited~~
24 ~~to,~~ access to a family and community intervener with specific training in
25 deafblindness, strategies to build language and communication skills, and
26 intervention strategies. The intervener shall:

27 (I) Work one-on-one with ~~a child~~ AN INDIVIDUAL who is deafblind

1 in order to facilitate critical connections between the ~~child~~ INDIVIDUAL
2 and the ~~child's~~ THEIR community, family, and environment;

3 (II) Open channels of communication between the ~~child~~
4 INDIVIDUAL and others;

5 (III) Facilitate the development or use of receptive and expressive
6 communication skills by the ~~child~~ INDIVIDUAL;

7 (IV) Develop and maintain a trusting, interactive relationship with
8 the ~~child~~ INDIVIDUAL that promotes social and emotional well-being; and

9 (V) Provide the ~~child~~ INDIVIDUAL with opportunities for learning
10 and development in the community and at home.

11 (b) The ~~commission~~ DIVISION shall hire ~~an~~ A FAMILY AND
12 COMMUNITY intervener program manager to direct services for ~~children~~
13 INDIVIDUALS who are deafblind WITH ADDITIONAL COGNITIVE
14 DISABILITIES, PHYSICAL DISABILITIES, OR BOTH and ensure that an
15 intervener:

16 (I) Works with no more than one ~~child~~ INDIVIDUAL at a time;

17 (II) Instructs and supports the ~~child~~ INDIVIDUAL in skills related
18 to community involvement;

19 (III) Transports the ~~child~~ INDIVIDUAL to gain access to community
20 services and resources;

21 (IV) Provides communication and information to the ~~child~~
22 INDIVIDUAL concerning the ~~child's~~ INDIVIDUAL'S environment that
23 otherwise would be available through vision and hearing;

24 (V) Uses interpersonal communication, including sign language,
25 speech, tangible communication symbols, gestures, calendars, and
26 augmentative communication devices;

27 (VI) Makes sights, sounds, and activities accessible to the ~~child~~

1 INDIVIDUAL by learning the child's INDIVIDUAL'S specific communication
2 system; and

3 (VII) Forms a working alliance with the deafblind child's
4 INDIVIDUAL'S family members, neighbors, community organizations, and
5 professionals with whom the child INDIVIDUAL has contact.

6 (c) The FAMILY AND COMMUNITY intervener program manager
7 shall document the following outcomes for intervener services in the
8 child's INDIVIDUAL'S record:

9 (I) Whether the child INDIVIDUAL is effectively communicating
10 wants and needs to the child's INDIVIDUAL'S intervener; and

11 (II) Whether the child INDIVIDUAL is actively participating in
12 community activities and activities of daily living to the extent of the
13 child's INDIVIDUAL'S ability.

14 (d) The intervener program manager and intervener shall
15 collaborate with other state agencies as appropriate that provide direct or
16 indirect services to children INDIVIDUALS who are deafblind and their
17 families to identify potential additional services or opportunities for
18 children INDIVIDUALS who are deafblind.

19 (9) (a) The commission DIVISION shall arrange for the provision
20 of auxiliary services in rural areas of the state by performing the
21 following functions:

22 (VIII) Establishing, monitoring, and publishing on the
23 commission's public website a list of available CART providers and
24 qualified interpreters, as defined in subsections (4)(g)(II)(A) and
25 (4)(g)(II)(B) of this section, respectively, who are willing to work in rural
26 areas for persons INDIVIDUALS who are deaf, hard of hearing, or
27 deafblind; AND

1 (IX) ~~Creating an advisory council to make recommendations to~~
2 ~~the commission about the provision of auxiliary services in rural areas;~~
3 ~~and~~

4 (b) The ~~executive director~~ BOARD shall ~~promulgate~~ ADOPT rules
5 in consultation with, or as proposed by, the ~~commission~~ DIVISION, WITH
6 INPUT FROM THE COMMISSION and the deaf, hard of hearing, and deafblind
7 community, regarding implementation of this subsection (9). The rules
8 must define the term "rural area".

9 (c) (I) On or before November 1, 2022, and on or before
10 November 1 of each year thereafter, the ~~commission~~ DIVISION shall
11 submit a report to the joint budget committee summarizing the
12 ~~commission's~~ DIVISION'S implementation of the program described in this
13 subsection (9) over the previous twelve months.

14 **SECTION 8.** In Colorado Revised Statutes, 26-21-107, **amend**
15 (1) as follows:

16 **26-21-107. Colorado division for the deaf, hard of hearing,**
17 **and deafblind cash fund - creation - gifts, grants, and donations -**
18 **reimbursement.** (1) (a) There is hereby created in the state treasury the
19 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
20 deafblind cash fund. All money credited to the fund must, PURSUANT TO
21 SECTION 26-21-103.5 (1)(a)(IV), be used exclusively for the
22 administration and discharge of THE DUTIES OF THE ENTERPRISE,
23 COMMISSION MEMBERS, AND DIVISION STAFF UNDER this article 21. All
24 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT
25 THE END OF A FISCAL YEAR AND ALL money credited to the fund and any
26 interest earned from the investment of money in the fund remains in the
27 fund and does not revert to the general fund or any other fund at the end

1 of any fiscal year.

2 (b) SUBJECT TO ANNUAL APPROPRIATION FROM THE GENERAL
3 ASSEMBLY, THE ENTERPRISE MAY EXPEND MONEY FROM THE COLORADO
4 DIVISION FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND CASH FUND
5 FOR THE PURPOSES SET FORTH IN SECTION 26-21-103.5 AND TO PAY THE
6 ENTERPRISE'S REASONABLE AND NECESSARY OPERATING EXPENSES.

7 **SECTION 9.** In Colorado Revised Statutes, 26-21-107.5, **amend**
8 (1), (2), and (7) as follows:

9 **26-21-107.5. Colorado division for the deaf, hard of hearing,**
10 **and deafblind grant program - creation - standards - applications -**
11 **definition.** (1) The Colorado **commission** DIVISION for the deaf, hard of
12 hearing, and deafblind grant program is **hereby** established to provide
13 funding for entities to address IMPROVE COMMUNICATION BETWEEN FEE
14 PAYERS BY ADDRESSING the needs of Colorado's INDIVIDUALS WHO ARE
15 deaf, ~~hard-of-hearing, or~~ HARD OF HEARING, AND deafblind. individuals.

16 (2) (a) The Colorado **commission** DIVISION for the deaf, hard of
17 hearing, and deafblind grant program committee appointed pursuant to
18 section 26-21-107.7 shall administer the grant program as provided in
19 section 26-21-107.7.

20 (b) The **commission** DIVISION shall pay the grants awarded
21 through the grant program from money appropriated by the general
22 assembly.

23 (c) Subject to available money, the general assembly shall
24 appropriate to the **commission** DIVISION no more than fifty thousand
25 dollars annually to administer the grant program.

26 (7) Grantees shall comply with reporting requirements established
27 by the **commission** DIVISION.

1 **SECTION 10.** In Colorado Revised Statutes, 26-21-107.7,
2 **amend** (1)(a.5)(I), (1)(a.5)(II) introductory portion, (1)(c), (1)(d), (1)(e),
3 (2), and (3); and **repeal** (1)(a.5)(III) as follows:

4 **26-21-107.7. Colorado division for the deaf, hard of hearing,**
5 **and deafblind grant program committee - creation - members - duties**
6 **- reimbursement for expenses.** (1) (a.5) (I) There is hereby created the
7 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
8 deafblind grant program committee, referred to in this section as the
9 "committee", consisting of five members, for the purpose of
10 recommending to the ~~commission~~ DIVISION approval or disapproval of
11 applications for the grant program.

12 (II) The ~~commission~~ DIVISION shall appoint four members to the
13 committee as follows:

14 (III) ~~This subsection (1)(a.5) is effective September 1, 2018, and~~
15 ~~applies to appointments to the committee on or after September 1, 2018.~~
16 ~~All initial appointments in accordance with this subsection (1)(a.5) must~~
17 ~~be made by September 30, 2018.~~

18 (c) In appointing members to the committee, the ~~commission~~
19 DIVISION shall choose ~~persons~~ INDIVIDUALS who have knowledge and
20 awareness of innovative strategies that address challenges faced by the
21 deaf, hard-of-hearing, and deafblind ~~community~~ AND SPEECH-DISABLED
22 COMMUNITIES.

23 (d) The appointed members of the committee shall serve
24 three-year terms. ~~except that, of the members first appointed, one of the~~
25 ~~members shall serve a two-year term and two of the members shall serve~~
26 ~~one-year terms. The commission shall choose those members who shall~~
27 ~~serve the initial shortened terms.~~ If a vacancy arises in one of the

1 appointed positions, the ~~commission~~ DIVISION shall appoint a replacement
2 to fill the vacancy for the remainder of the term.

3 (e) Members of the committee are entitled to be reimbursed ~~out~~
4 ~~of available appropriations~~ for all actual and necessary expenses incurred
5 in the performance of their duties.

6 (2) The committee shall review all applications received pursuant
7 to section 26-21-107.5. Based on criteria established by the ~~commission~~
8 DIVISION, the committee shall recommend to the ~~commission~~ DIVISION
9 those applications to approve, with recommended grant amounts, and
10 those to disapprove.

11 (3) The ~~commission~~ DIVISION shall review and may follow the
12 recommendations of the committee for approval or disapproval of
13 applications for the grant program and for grant amounts. If the
14 ~~commission~~ DIVISION disagrees with the recommendations of the
15 committee, the ~~executive~~ director of the ~~department~~ shall ~~have~~ DIVISION
16 HAS final decision-making authority to approve or disapprove the
17 applications and to set the grant amounts.

18 **SECTION 11.** In Colorado Revised Statutes, **add** 26-21-107.9 as
19 follows:

20 **26-21-107.9. Rules.** THE BOARD MAY ADOPT RULES AS NECESSARY
21 TO IMPLEMENT THIS ARTICLE 21.

22 **SECTION 12.** In Colorado Revised Statutes, **repeal** 26-21-108
23 as follows:

24 **26-21-108. Repeal of article - sunset review.** ~~(1) This article 21~~
25 ~~is repealed, effective September 1, 2031.~~

26 ~~(2) Prior to the repeal, the commission shall be reviewed as~~
27 ~~provided for in section 24-34-104, C.R.S.~~

1 **SECTION 13.** In Colorado Revised Statutes, 24-90-105.5,
2 **amend** (5) as follows:

3 **24-90-105.5. Literacy support services for persons who are**
4 **blind or print-disabled - authority of state librarian - fund.** (5) The
5 general assembly recognizes the importance of privately operated reading
6 services to enable persons who are blind or print-disabled to gain access
7 to otherwise inaccessible print materials. The state librarian has the
8 authority to administer money in the reading services for the blind cash
9 fund, which **FUND** is created in the state treasury, PURSUANT TO SECTION
10 26-21-103.5 (1)(a)(IV), for the support of privately operated reading
11 services. The fund consists of any public or private money transferred,
12 appropriated, or otherwise credited to the fund. All money credited to the
13 fund and all interest earned on the investment of money in the fund is a
14 part of the fund and must not be transferred or credited to the general
15 fund or to any other fund except as directed by the general assembly
16 acting by bill. The general assembly shall make annual appropriations
17 from the reading services for the blind cash fund to the state librarian to
18 carry out the purposes of this section.

19 **SECTION 14.** In Colorado Revised Statutes, **repeal** 29-11-102.7.

20 **SECTION 15.** In Colorado Revised Statutes, **repeal and reenact,**
21 **with amendments,** article 17 of title 40 as follows:

22 **ARTICLE 17**

23 **Telephone Disability Access**

24 **40-17-101. Definitions.** AS USED IN THIS ARTICLE 17, UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

26 (1) "COMMISSION" MEANS THE PUBLIC UTILITIES COMMISSION
27 CREATED IN SECTION 40-2-101.

1 (2) "CONSUMER" MEANS A PERSON WHO PURCHASES PREPAID
2 WIRELESS TELECOMMUNICATIONS SERVICE IN A RETAIL TRANSACTION.

3 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

4 (4) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
5 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

6 (5) "PREPAID TELEPHONE DISABILITY ACCESS CHARGE" OR
7 "CHARGE" MEANS THE CHARGE IMPOSED BY THE COMMUNICATION
8 SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE PURSUANT TO
9 SECTION 26-21-103.5 (1)(a)(III).

10 (6) "RETAIL TRANSACTION" MEANS THE PURCHASE OF PREPAID
11 WIRELESS TELECOMMUNICATIONS SERVICE FROM A SELLER FOR ANY
12 PURPOSE OTHER THAN RESALE.

13 (7) "SELLER" MEANS A PERSON THAT SELLS PREPAID WIRELESS
14 TELECOMMUNICATIONS SERVICES TO ANOTHER PERSON.

15 (8) "SERVICE SUPPLIER" MEANS A PERSON PROVIDING VOICE
16 TELEPHONE ACCESS LINES TO ANY SERVICE USER IN THE STATE, EITHER
17 DIRECTLY OR BY RESALE.

18 (9) "SERVICE USER" MEANS A PERSON THAT IS PROVIDED A VOICE
19 TELEPHONE ACCESS LINE IN THE STATE.

20 (10) "TELEPHONE ACCESS LINE" MEANS A VOICE GRADE CHANNEL
21 OR ITS EQUIVALENT ASSIGNED TO A RESIDENTIAL OR COMMERCIAL END
22 USER CUSTOMER BY A SERVICE SUPPLIER, REGARDLESS OF THE
23 TECHNOLOGY USED TO PROVIDE THE SERVICE.

24 (11) "TELEPHONE DISABILITY ACCESS SURCHARGE" OR
25 "SURCHARGE" MEANS THE SURCHARGE IMPOSED BY THE COMMUNICATION
26 SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE PURSUANT TO
27 SECTION 26-21-103.5 (1)(a)(II).

1 **40-17-102. Telephone disability access surcharges collected for**
2 **the enterprise - Colorado telephone users with disabilities fund -**
3 **created - remittance - rules.** (1) THE COMMISSION SHALL COLLECT, ON
4 BEHALF OF THE COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
5 ENTERPRISE, THE TELEPHONE DISABILITY ACCESS SURCHARGE TO FUND
6 THE ENTERPRISE. THE COMMISSION SHALL COLLABORATE WITH THE
7 ENTERPRISE TO ESTABLISH THE AMOUNT OF THE SURCHARGE ONCE PER
8 YEAR.

9 (2) (a) EACH SERVICE SUPPLIER SHALL COLLECT THE SURCHARGE
10 FROM ITS SERVICE USERS. THE SURCHARGE IS THE LIABILITY OF THE
11 SERVICE USER AND NOT OF THE SERVICE SUPPLIER; EXCEPT THAT THE
12 SERVICE SUPPLIER IS LIABLE TO REMIT ALL SURCHARGES THAT THE
13 SERVICE SUPPLIER COLLECTS FROM SERVICE USERS.

14 (b) THE SURCHARGE SHALL BE LISTED AS A SEPARATE ITEM THAT
15 APPEARS ON A SERVICE USER'S MONTHLY BILLING STATEMENT.

16 (3) (a) THE SERVICE SUPPLIER SHALL REMIT THE COLLECTED
17 SURCHARGES TO THE COMMISSION ON A MONTHLY BASIS IN A MANNER
18 ESTABLISHED BY THE COMMISSION. THE COMMISSION SHALL ESTABLISH
19 REMITTANCE PROCEDURES BY RULE. A SERVICE SUPPLIER IS SUBJECT TO
20 THE PENALTIES AND PROCEDURES SET FORTH IN SECTION 40-17-103 FOR
21 THE FAILURE TO COLLECT OR CORRECTLY REMIT A SURCHARGE IN
22 ACCORDANCE WITH THIS SECTION.

23 (b) A SERVICE SUPPLIER MAY DEDUCT AND RETAIN ONE PERCENT
24 OF THE SURCHARGES THAT ARE COLLECTED BY THE SERVICE SUPPLIER
25 FROM ITS SERVICE USERS.

26 (c) (I) THE STATE TREASURER SHALL CREDIT THE SURCHARGE
27 COLLECTIONS REMITTED TO THE COMMISSION PURSUANT TO SUBSECTION

1 (3)(a) OF THIS SECTION TO THE COLORADO DIVISION FOR THE DEAF, HARD
2 OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION 26-21-107
3 (1). ANY SURCHARGE TRANSMITTED TO THE STATE TREASURER THAT IS
4 COLLECTED ON BEHALF OF THE ENTERPRISE IS EXCLUDED FROM STATE
5 FISCAL YEAR SPENDING.

6 (II) THE COMMISSION MAY RETAIN UP TO FOUR PERCENT OF THE
7 COLLECTED SURCHARGES NECESSARY TO REIMBURSE THE COMMISSION FOR
8 ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE COLLECTION AND
9 REMITTANCE OF SURCHARGES FOR THE ENTERPRISE, INCLUDING COSTS
10 RELATED TO CONDUCTING AUDITS OF SERVICE SUPPLIERS IN ACCORDANCE
11 WITH SECTION 40-17-103. MONEY THAT THE COMMISSION RETAINS
12 PURSUANT TO THIS SUBSECTION (3)(c)(II) SHALL BE CREDITED TO THE
13 COLORADO TELEPHONE USERS WITH DISABILITIES FUND, WHICH FUND IS
14 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
15 CREDITED TO THE FUND PURSUANT TO THIS SUBSECTION (3)(c)(II) AND
16 ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR
17 TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL
18 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
19 MONEY IN THE COLORADO TELEPHONE USERS WITH DISABILITIES FUND TO
20 THE FUND.

21 (4) THE SURCHARGE IMPOSED BY THE ENTERPRISE PURSUANT TO
22 SECTION 26-21-103.5 (1)(a)(II) IS THE ONLY DIRECT COMMUNICATION
23 SERVICES FOR PEOPLE WITH DISABILITIES FUNDING OBLIGATION IMPOSED
24 UPON SERVICE USERS IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER
25 CHARGE TO FUND THE ENTERPRISE IS IMPOSED BY THE STATE, ANY
26 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL
27 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,

1 PURCHASE, USE, OR PROVISION OF A TELEPHONE ACCESS LINE IN THE
2 STATE.

3 (5) THIS SECTION DOES NOT APPLY TO PREPAID WIRELESS
4 TELECOMMUNICATIONS SERVICES.

5 (6) THE TELEPHONE DISABILITY ACCESS SURCHARGE SHALL NOT BE
6 IMPOSED ON THE SERVICE SUPPLIER OR THE SERVICE USERS WITH RESPECT
7 TO FEDERALLY SUPPORTED LIFELINE SERVICE.

8 **40-17-103. Service supplier obligations - penalties - audits -**
9 **rules.** (1) EVERY SERVICE SUPPLIER SHALL COLLECT THE TELEPHONE
10 DISABILITY ACCESS SURCHARGE FROM ITS SERVICE USERS.

11 (2) A SERVICE SUPPLIER IS LIABLE ONLY FOR THE SURCHARGE
12 COLLECTED PURSUANT TO THIS ARTICLE 17 UNTIL THE SURCHARGE IS
13 REMITTED TO THE COMMISSION. THE AMOUNT REMITTED BY THE SERVICE
14 SUPPLIER MUST REFLECT THE ACTUAL COLLECTIONS BASED ON THE
15 ACTUAL TELEPHONE ACCESS LINE BILLED.

16 (3) A SERVICE SUPPLIER SHALL REMIT THE SURCHARGE IN
17 ACCORDANCE WITH SECTION 40-17-102 AND RULES ADOPTED BY THE
18 COMMISSION.

19 (4) (a) THE SERVICE SUPPLIER SHALL MAINTAIN A RECORD OF THE
20 AMOUNT OF EACH SURCHARGE COLLECTED AND REMITTED BY THE SERVICE
21 USER ADDRESS FOR A PERIOD OF THREE YEARS AFTER THE TIME THE
22 CHARGE IS COLLECTED AND REMITTED.

23 (b) IF A SERVICE SUPPLIER FAILS TO TIMELY FILE A REPORT AND
24 REMIT THE SURCHARGE AS REQUIRED BY THIS SECTION, OR IF A SERVICE
25 SUPPLIER FILES AN INCORRECT REPORT OR FAILS TO REMIT THE CORRECT
26 AMOUNT, THE COMMISSION SHALL ESTIMATE THE AMOUNT OF THE
27 REMITTANCE DUE FOR THE PERIOD OR PERIODS FOR WHICH THE SERVICE

1 SUPPLIER IS DELINQUENT. THE COMMISSION SHALL MAKE THE ESTIMATE
2 BASED ON THE INFORMATION AVAILABLE. THE COMMISSION SHALL
3 COMPUTE AND ASSESS A PENALTY EQUAL TO FIFTEEN PERCENT OF THE
4 ESTIMATE OF THE DELINQUENT AMOUNT AND SHALL ASSESS INTEREST ON
5 THE DELINQUENT CHARGES AT THE RATE OF ONE PERCENT EACH MONTH
6 FROM THE DATE WHEN DUE UNTIL THE DATE PAID.

7 (c) EXCEPT AS PROVIDED IN THIS SECTION AND UNLESS SUCH TIME
8 IS EXTENDED BY AGREEMENT PURSUANT TO SUBSECTION (4)(d) OF THIS
9 SECTION, THE AMOUNT OF A DELINQUENT REMITTANCE AND THE PENALTY
10 AND INTEREST OWED PURSUANT TO SUBSECTION (4)(b) OF THIS SECTION,
11 OTHER THAN INTEREST ACCRUING THEREAFTER, SHALL BE ASSESSED
12 WITHIN THREE YEARS AFTER THE DATE THE INCORRECT REPORT WAS FILED
13 OR THE DELINQUENT REPORT WAS TO BE FILED. THE COMMISSION SHALL
14 NOT FILE A NOTICE OF LIEN, ISSUE A DISTRAINT WARRANT, INSTITUTE A
15 SUIT FOR COLLECTION, OR TAKE OTHER ACTION TO COLLECT THE AMOUNT
16 AFTER THE EXPIRATION OF SUCH PERIOD UNLESS THE COMMISSION ISSUES
17 A NOTICE OF ASSESSMENT FOR THE AMOUNT WITHIN SUCH PERIOD OR
18 WITHIN AN EXTENDED PERIOD PURSUANT TO SUBSECTION (4)(d) OF THIS
19 SECTION.

20 (d) IF, BEFORE THE EXPIRATION OF THE TIME PRESCRIBED FOR THE
21 ASSESSMENT OF DELINQUENT AMOUNTS IN SUBSECTION (4)(c) OF THIS
22 SECTION, THE COMMISSION AND THE SERVICE SUPPLIER CONSENT IN
23 WRITING TO AN ASSESSMENT AFTER SUCH TIME, THE AMOUNT
24 CALCULATED IN ACCORDANCE WITH SUBSECTION (4)(b) OF THIS SECTION
25 MAY BE ASSESSED AT ANY TIME PRIOR TO THE EXPIRATION OF THE PERIOD
26 AGREED UPON. THE PERIOD AGREED UPON MAY BE EXTENDED BY
27 SUBSEQUENT AGREEMENTS IN WRITING MADE BEFORE THE EXPIRATION OF

1 THE PERIOD PREVIOUSLY AGREED UPON. THE COMMISSION MAY FILE A LIEN
2 AGAINST THE PROPERTY OF THE SERVICE SUPPLIER FOR UP TO ONE YEAR
3 AFTER THE EXPIRATION OF ANY SUCH PERIOD, UNLESS OTHERWISE
4 SPECIFICALLY PROVIDED IN THIS ARTICLE 17.

5 (e) THE COMMISSION MAY CONDUCT AN AUDIT OF A SERVICE
6 SUPPLIER'S BOOKS AND RECORDS CONCERNING THE COLLECTION AND
7 REMITTANCE OF THE CHARGES AUTHORIZED UNDER THIS ARTICLE 17. A
8 PUBLIC INSPECTION OF THE AUDIT AND OF DOCUMENTS REVIEWED IN THE
9 AUDIT IS SUBJECT TO SECTION 24-72-204. THE COMMISSION IS
10 RESPONSIBLE FOR EXPENSES THE COMMISSION MAY INCUR TO CONDUCT
11 THE AUDIT. IN CONNECTION WITH AUDITS PERFORMED, SERVICE SUPPLIERS
12 SHALL MAKE RELEVANT RECORDS AVAILABLE TO THE AUDITORS AT NO
13 CHARGE. THE COMMISSION SHALL ADOPT RULES GOVERNING THE AUDIT
14 AND APPEAL PROCEDURES.

15 (f) THE COMMISSION SHALL DEPOSIT ANY PENALTIES COLLECTED
16 OR INTEREST IN THE COLORADO DIVISION FOR THE DEAF, HARD OF
17 HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION 26-21-107(1).

18 **40-17-104. Prepaid _____ telephone disability access charges**
19 **collected for the enterprise - prepaid wireless trust cash fund -**
20 **created - remittance - rules.** (1) (a) A SELLER SHALL COLLECT, ON
21 BEHALF OF THE ENTERPRISE, THE PREPAID TELEPHONE DISABILITY ACCESS
22 CHARGE FROM THE CONSUMER ON EACH RETAIL TRANSACTION OCCURRING
23 IN THE STATE. THE AMOUNT OF THE PREPAID TELEPHONE DISABILITY
24 ACCESS CHARGE SHALL BE DISCLOSED TO THE CONSUMER ON AN INVOICE,
25 A RECEIPT, OR OTHER SIMILAR DOCUMENT THAT THE SELLER PROVIDES TO
26 THE CONSUMER. A SELLER SHALL ELECT TO EITHER DISCLOSE OR
27 SEPARATELY STATE THE CHARGE AND NOT CHANGE THE ELECTION

1 WITHOUT THE WRITTEN CONSENT OF THE DEPARTMENT. THE SELLER IS
2 DEEMED TO HAVE COLLECTED THE CHARGE NOTWITHSTANDING THE
3 SELLER'S FAILURE TO SEPARATELY DISCLOSE OR STATE THE CHARGE ON AN
4 INVOICE, A RECEIPT, OR OTHER SIMILAR DOCUMENT THAT THE SELLER
5 PROVIDES THE CONSUMER.

6 (b) FOR PURPOSES OF THIS SECTION, A RETAIL TRANSACTION
7 OCCURS IN COLORADO IF:

8 (I) THE CONSUMER EFFECTS THE RETAIL TRANSACTION IN PERSON
9 AT A BUSINESS LOCATION IN COLORADO;

10 (II) IF SUBSECTION (1)(b)(I) OF THIS SECTION DOES NOT APPLY, THE
11 PRODUCT IS DELIVERED TO THE CONSUMER AT A COLORADO ADDRESS
12 PROVIDED TO THE SELLER;

13 (III) IF SUBSECTIONS (1)(b)(I) AND (1)(b)(II) OF THIS SECTION DO
14 NOT APPLY, THE SELLER'S RECORDS, MAINTAINED IN THE ORDINARY
15 COURSE OF BUSINESS, INDICATE THAT THE CONSUMER'S ADDRESS IS IN
16 COLORADO, AND THE RECORDS ARE NOT MADE OR KEPT IN BAD FAITH;

17 (IV) IF SUBSECTIONS (1)(b)(I) TO (1)(b)(III) OF THIS SECTION DO
18 NOT APPLY, THE CONSUMER GIVES A COLORADO ADDRESS DURING THE
19 CONSUMMATION OF THE SALE, INCLUDING THE CONSUMER'S PAYMENT
20 INSTRUMENT IF NO OTHER ADDRESS IS AVAILABLE, AND THERE IS NO
21 INDICATION THAT THE ADDRESS IS GIVEN IN BAD FAITH; OR

22 (V) IF SUBSECTIONS (1)(b)(I) TO (1)(b)(IV) OF THIS SECTION DO
23 NOT APPLY, THE CONSUMER'S MOBILE TELEPHONE NUMBER IS ASSOCIATED
24 WITH A COLORADO LOCATION.

25 (c) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE IS THE
26 LIABILITY OF THE CONSUMER AND NOT OF THE SELLER; EXCEPT THAT THE
27 SELLER IS LIABLE TO REMIT ALL CHARGES THAT THE SELLER COLLECTS

1 FROM A CONSUMER AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

2 (d) THE AMOUNT OF THE PREPAID TELEPHONE DISABILITY ACCESS
3 CHARGE THAT IS COLLECTED BY A SELLER FROM A CONSUMER IS NOT
4 INCLUDED IN THE BASE FOR MEASURING ANY TAX, FEE, SURCHARGE, OR
5 OTHER CHARGE THAT IS IMPOSED BY THE STATE, ANY POLITICAL
6 SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL AGENCY.

7 (2) (a) THE SELLER SHALL REMIT ANY COLLECTED PREPAID
8 TELEPHONE DISABILITY ACCESS CHARGES TO THE DEPARTMENT AT THE
9 TIMES AND IN THE MANNER PROVIDED IN PART 1 OF ARTICLE 26 OF TITLE
10 39. THE DEPARTMENT SHALL ESTABLISH, BY RULE, REGISTRATION AND
11 PAYMENT PROCEDURES THAT SUBSTANTIALLY COINCIDE WITH THE
12 REGISTRATION AND PAYMENT PROCEDURES THAT APPLY UNDER PART 1 OF
13 ARTICLE 26 OF TITLE 39. A SELLER IS SUBJECT TO THE PENALTIES UNDER
14 PART 1 OF ARTICLE 26 OF TITLE 39 FOR FAILURE TO COLLECT OR REMIT A
15 CHARGE IN ACCORDANCE WITH THIS SECTION.

16 (b) A SELLER MAY DEDUCT AND RETAIN THREE AND THREE-TENTHS
17 PERCENT OF THE PREPAID TELEPHONE DISABILITY ACCESS CHARGES THAT
18 ARE COLLECTED BY A SELLER FROM CONSUMERS.

19 (c) THE AUDIT AND APPEAL PROCEDURES APPLICABLE TO THE
20 STATE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE 39 APPLY
21 TO PREPAID TELEPHONE DISABILITY ACCESS CHARGES.

22 (d) THE DEPARTMENT SHALL, BY RULE, ESTABLISH PROCEDURES BY
23 WHICH A SELLER MAY DOCUMENT THAT A TRANSACTION IS NOT A RETAIL
24 TRANSACTION, WHICH PROCEDURES MUST SUBSTANTIALLY COINCIDE WITH
25 THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR
26 PURPOSES OF THE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE
27 39.

1 (e) (I) THE STATE TREASURER SHALL CREDIT THE PREPAID
2 TELEPHONE DISABILITY ACCESS CHARGES REMITTED TO THE DEPARTMENT
3 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO THE COLORADO
4 DIVISION FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND CASH FUND
5 CREATED IN SECTION 26-21-107 (1).

6 (II) THE DEPARTMENT MAY RETAIN UP TO THREE PERCENT OF THE
7 COLLECTED CHARGES NECESSARY TO REIMBURSE THE DEPARTMENT FOR
8 ITS DIRECT COSTS OF ADMINISTERING THE COLLECTION AND REMITTANCE
9 OF PREPAID TELEPHONE DISABILITY ACCESS CHARGES. MONEY THAT THE
10 DEPARTMENT RETAINS PURSUANT TO THIS SUBSECTION (2)(e)(II) SHALL BE
11 CREDITED TO THE PREPAID WIRELESS TRUST CASH FUND, WHICH FUND IS
12 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY
13 CREDITED TO THE FUND PURSUANT TO THIS SUBSECTION (2)(e)(II) AND
14 ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR
15 TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL
16 INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF
17 MONEY IN THE PREPAID WIRELESS TRUST CASH FUND TO THE FUND.

18 (3) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE IS THE
19 ONLY DIRECT DISABILITY COMMUNICATION ACCESS FUNDING OBLIGATION
20 IMPOSED WITH RESPECT TO PREPAID WIRELESS TELECOMMUNICATIONS
21 SERVICE IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER CHARGE TO
22 FUND DISABILITY COMMUNICATION ACCESS IS IMPOSED BY THE STATE, ANY
23 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL
24 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,
25 PURCHASE, USE, OR PROVISION OF PREPAID WIRELESS
26 TELECOMMUNICATIONS SERVICE.

27 (4) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE SHALL

1 NOT BE IMPOSED ON THE SELLER OR THE CONSUMER WITH RESPECT TO
2 FEDERALLY SUPPORTED LIFELINE SERVICE.

3 **SECTION 16.** In Colorado Revised Statutes, 2-3-1203, **add**
4 (22)(a)(VII) as follows:

5 **2-3-1203. Sunset review of advisory committees - legislative**
6 **declaration - definition - repeal.** (22) (a) The following statutory
7 authorizations for the designated advisory committees will repeal on
8 September 1, 2031:

9 (VII) THE COLORADO COMMISSION FOR THE DEAF, HARD OF
10 HEARING, AND DEAFBLIND ADVISORY COUNCIL, AS SET FORTH IN SECTIONS
11 26-21-104 AND 26-21-105 (2) AND (5).

12 **SECTION 17.** In Colorado Revised Statutes, 6-1-707, **amend**
13 (1)(e)(I)(B) as follows:

14 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
15 person engages in a deceptive trade practice when, in the course of the
16 person's business, vocation, or occupation, the person:

17 (e) (I) Claims to be a "sign language interpreter", "interpreter for
18 the deaf", "deaf interpreter", "ASL-English interpreter", "American sign
19 language (ASL) interpreter", "translator" for sign language,
20 "transliterator", "certified sign language interpreter", "certified translator"
21 for sign language, "certified interpreter for the deaf", "certified deaf
22 interpreter", "certified ASL-English interpreter", "certified American sign
23 language (ASL) interpreter", or "certified transliterator", unless the
24 person holds:

25 (B) ~~Any~~ A currently valid certification for sign language
26 interpretation that is approved by the ~~Colorado commission~~ DIVISION for
27 the deaf, hard of hearing, and deafblind PURSUANT TO SECTION 26-21-106

1 (1)(f).

2 **SECTION 18.** In Colorado Revised Statutes, **amend** 13-71-137
3 as follows:

4 **13-71-137. Duties and responsibilities of auxiliary services**
5 **providers for jurors who are deaf, hard of hearing, or deafblind.**

6 (1) The court may provide, through the list of available resources
7 coordinated through the ~~Colorado commission~~ DIVISION for the deaf, hard
8 of hearing, and deafblind pursuant to section 26-21-106 (4), a qualified
9 PROVIDER OF auxiliary services, ~~provider~~, as defined in section 13-90-202
10 ~~(8)~~ (3), to assist during a trial a juror who is deaf, hard of hearing, or
11 deafblind. In the presence of the jury, the court shall instruct the qualified
12 auxiliary services provider to make true and complete translations of all
13 court proceedings to the juror who is deaf, hard of hearing, or deafblind
14 to the best of the qualified auxiliary services provider's ability.

15 (2) The qualified interpreter is subject to the same orders and
16 admonitions given to the jurors. The court shall permit a qualified
17 auxiliary services provider to be present and assist a juror who is deaf,
18 hard of hearing, or deafblind during the deliberations of the jury. In the
19 presence of the jury, the court shall instruct the qualified auxiliary
20 services provider to refrain from participating in any manner in the
21 deliberation of the jury and to refrain from having any communications
22 with any member of the jury regarding deliberation, except for true and
23 complete translations of jurors' remarks made during deliberation. A jury
24 verdict reached in the presence of a qualified auxiliary services provider,
25 during deliberation, is valid.

26 **SECTION 19.** In Colorado Revised Statutes, 13-90-202, **amend**
27 **(8); repeal (4); and add (6.3) and (7.3) as follows:**

1 **13-90-202. Definitions.** As used in this part 2, unless the context
2 otherwise requires:

3 (4) "~~Commission~~" means ~~the Colorado commission for the deaf,~~
4 ~~hard of hearing, and deafblind in the department of human services~~
5 ~~created in section 26-21-104.~~

6 (6.3) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
7 HEARING, AND DEAFBLIND IN THE DEPARTMENT OF HUMAN SERVICES
8 CREATED IN SECTION 26-21-106 (1).

9 (7.3) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
10 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

11 (8) "Qualified interpreter" means a person who has a valid
12 certification of competency accepted by the ~~commission~~ DIVISION and
13 includes ~~but is not limited to~~, oral interpreters, sign language interpreters,
14 and intermediary interpreters.

15 **SECTION 20.** In Colorado Revised Statutes, **amend** 13-90-203
16 as follows:

17 **13-90-203. Powers and duties of the enterprise - rules.** The
18 ~~department of human services~~ BOARD OF DIRECTORS OF THE ENTERPRISE
19 shall ~~promulgate~~ ADOPT rules pursuant to article 4 of title 24 C.R.S.,
20 ~~which have been proposed by the commission~~ as necessary for the
21 implementation of this part 2. The rule-making process shall be open and
22 available for input from the public, including ~~but not limited to~~
23 interpreters and consumers of interpreter services.

24 **SECTION 21.** In Colorado Revised Statutes, **amend** 13-90-205
25 as follows:

26 **13-90-205. Coordination of auxiliary services requests.** (1) The
27 ~~commission~~ DIVISION, in collaboration with the judicial department, shall

1 establish, monitor, coordinate, and publish a list of available resources
2 regarding communication accessibility for ~~persons~~ INDIVIDUALS who are
3 deaf, hard of hearing, or deafblind, including qualified auxiliary services
4 providers, for use by an appointing authority pursuant to section
5 13-90-204. The list must contain the names of private individual
6 providers and agencies that secure qualified auxiliary services for
7 assignment.

8 (2) Whenever a qualified auxiliary service is required pursuant to
9 section 13-90-204, the appointing authority shall secure the auxiliary
10 service through the list of available resources made available and
11 coordinated by the ~~commission~~ DIVISION in accordance with subsection
12 (1) of this section.

13 (3) The ~~commission~~ DIVISION shall provide auxiliary services for
14 a proceeding described by section 13-90-204 (1)(a), (1)(b), or (1)(c). The
15 ~~commission~~ DIVISION does not have additional responsibilities beyond the
16 requirements of subsection (1) of this section for a proceeding described
17 in section 13-90-204 (1)(d) or (1)(f).

18 **SECTION 22.** In Colorado Revised Statutes, **amend** 13-90-210
19 as follows:

20 **13-90-210. Compensation.** ~~Subject to the appropriations~~ PER THE
21 FUNDING available to the ~~commission~~ DIVISION, a qualified ~~interpreter or~~
22 ~~computer-aided realtime translation reporter~~ AUXILIARY SERVICES
23 PROVIDER provided pursuant to section 13-90-204 ~~shall be entitled to~~
24 ~~compensation for his or her~~ SHALL BE COMPENSATED FOR THEIR services,
25 including waiting time and necessary travel and subsistence expenses.
26 The amount of compensation shall be based on a fee schedule for
27 qualified ~~interpreters and~~ auxiliary services PROVIDERS established by the

1 ~~commission~~ DIVISION.

2 **SECTION 23.** In Colorado Revised Statutes, 18-1.3-701, **amend**
3 (1)(c) as follows:

4 **18-1.3-701. Judgment of costs and fines - definitions.**

5 (1) (c) Judgments collected pursuant to this section for fees for auxiliary
6 services provided pursuant to section 13-90-204, and reimbursed pursuant
7 to section 13-90-210, shall be remitted to the ~~Colorado commission~~
8 DIVISION for the deaf, hard of hearing, and deafblind ~~in the department of~~
9 ~~human services~~ CASH FUND created in section ~~26-21-104~~ 26-21-107.

10 **SECTION 24.** In Colorado Revised Statutes, 24-1-120, **amend**
11 (5)(h); and **add** (5)(g.5) and (5)(g.7) as follows:

12 **24-1-120. Department of human services - creation.** (5) The
13 department of human services includes the following:

14 (g.5) THE COMMUNICATION SERVICES FOR PEOPLE WITH
15 DISABILITIES ENTERPRISE, CREATED IN ARTICLE 21 OF TITLE 26. THE
16 ENTERPRISE IS A **TYPE 1** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
17 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
18 THE DEPARTMENT.

19 (g.7) THE DIVISION FOR THE DEAF, HARD OF HEARING, AND
20 DEAFBLIND CREATED IN ARTICLE 21 OF TITLE 26. THE DIVISION IS A **TYPE**
21 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
22 AND FUNCTIONS UNDER THE DEPARTMENT.

23 (h) The Colorado commission for the deaf, hard of hearing, and
24 deafblind ADVISORY COUNCIL, created in article 21 of title 26. ~~The~~
25 ~~Colorado commission for the deaf, hard of hearing, and deafblind is a~~
26 ~~type 2~~ entity, as defined in section 24-1-105, and exercises its powers and
27 performs its duties and functions under the department.

1 **SECTION 25.** In Colorado Revised Statutes, 24-34-104, **repeal**
2 (32)(a)(XII) as follows:

3 **24-34-104. General assembly review of regulatory agencies**
4 **and functions for repeal, continuation, or reestablishment - legislative**
5 **declaration - repeal.** (32) (a) The following agencies, functions, or both,
6 are scheduled for repeal on September 1, 2031:

7 (XII) ~~The Colorado commission for the deaf, hard of hearing, and~~
8 ~~deafblind created in article 21 of title 26;~~

9 **SECTION 26.** In Colorado Revised Statutes, 29-2-201, **amend**
10 **as it will become effective July 1, 2025,** (8)(e) as follows:

11 **29-2-201. Definitions.** As used in this part 2, unless the context
12 otherwise requires:

13 (8) "Sales or use tax" includes the:

14 (e) Prepaid ~~wireless TRS~~ TELEPHONE DISABILITY ACCESS charge
15 imposed pursuant to ~~section 29-11-102.7~~ SECTION 40-17-104; and

16 **SECTION 27.** In Colorado Revised Statutes, 29-2-202, **amend**
17 **as it will become effective July 1, 2025,** (1)(b)(V) as follows:

18 **29-2-202. Applicability.** (1) Except as provided in sections
19 29-2-209 and 29-2-211, this part 2 applies to:

20 (b) (V) The prepaid ~~wireless TRS~~ TELEPHONE DISABILITY ACCESS
21 charge imposed pursuant to ~~section 29-11-102.7~~ SECTION 40-17-104; and

22 **SECTION 28.** In Colorado Revised Statutes, 39-21-119.5,
23 **amend** (2)(t) as follows:

24 **39-21-119.5. Mandatory electronic filing of returns -**
25 **mandatory electronic payment - penalty - waiver - definitions.**

26 (2) Except as provided in subsection (6) of this section, the executive
27 director may, as specified in subsection (3) of this section, require the

1 electronic filing of returns and require the payment of any tax or fee due
2 by electronic funds transfer for the following:

3 (t) Any prepaid wireless telecommunications relay service charge
4 report required to be filed and payment required to be made pursuant to
5 ~~section 29-11-102.7(3)~~ SECTION 40-17-104; and

6 **SECTION 29.** In Colorado Revised Statutes, 40-2-112, **amend**
7 (1)(a) as follows:

8 **40-2-112. Computation of fees.** (1) (a) On or before June 1 of
9 each year, the executive director of the department of revenue shall
10 ascertain the aggregate amount of gross operating revenues of telephone
11 corporations and all other public utilities filing returns as provided in
12 section 40-2-111. Based on appropriations made by the general assembly,
13 the executive director of the department of regulatory agencies shall
14 specify, for the telecommunications utility fund, created in section
15 40-2-114 (1)(b)(I), and the public utilities commission fixed utility fund,
16 created in section 40-2-114 (1)(b)(II), the revenue needed to provide for
17 the direct and indirect costs of the supervision and regulation of telephone
18 corporations and all other public utilities under the jurisdiction of the
19 department of regulatory agencies, excluding the amount of money
20 provided as administrative support from the various telecommunications
21 programs administered by the commission, including the high cost
22 support mechanism, established in section 40-15-208; the 911 surcharge,
23 established in section 29-11-102.3; the 988 surcharge, established in
24 section 40-17.5-102; and the ~~telecommunications relay service~~
25 TELEPHONE DISABILITY ACCESS surcharge, established in ~~section~~
26 ~~40-17-103~~ SECTION 40-17-102.

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1 **SECTION 30. Appropriation - adjustments to 2025 long bill.**

2 (1) To implement this act, the general fund appropriation made in the
3 annual general appropriation act for the 2025-26 state fiscal year to the
4 department of education for use by library programs for reading services
5 for the blind is decreased by \$250,000.

6 (2) To implement this act, the cash funds appropriation from the
7 Colorado telephone users with disabilities fund created in section
8 40-17-102 (3)(c)(II), C.R.S., made in the annual general appropriation act
9 for the 2025-26 state fiscal year to the department of regulatory agencies
10 for use by the public utilities commission is decreased as follows:

11 (a) \$265,965 for personal services, and the related FTE is
12 decreased by 2.0 FTE; and

13 (c) \$3,413,703 for the Colorado commission for the deaf, hard of
14 hearing, and deafblind cash fund.

15 (3) To implement this act, the reappropriated funds appropriation
16 made in the annual general appropriation act for the 2025-26 state fiscal
17 year to the department of human services for use by the Colorado
18 commission for the deaf, hard of hearing, and deafblind is decreased by
19 \$3,413,703. This appropriation is from reappropriated funds received
20 from the department of regulatory agencies for use by the public utilities
21 commission for the Colorado commission for the deaf, hard of hearing,
22 and deafblind cash fund.

23 **SECTION 31. Appropriation.** (1) For the 2025-26 state fiscal
24 year, \$250,000 is appropriated to the department of regulatory agencies
25 for use by the public utilities commission. This appropriation is from the
26 Colorado telephone users with disabilities fund created in section
27 40-17-102 (3)(c)(II), C.R.S. To implement this act, the commission may

1 use this appropriation for transfer to the reading services for the blind
2 cash fund.

3 (2) For the 2025-26 state fiscal year, \$250,000 is appropriated to
4 the department of education for use by library programs. This
5 appropriation is from reappropriated funds received from the department
6 of regulatory agencies under subsection (1) of this section. To implement
7 this act, library programs may use this appropriation for reading services
8 for the blind.

9 (3) For the 2025-26 state fiscal year, \$4,958,625 is appropriated
10 to the department of human services. This appropriation is from the
11 Colorado division for the deaf, hard of hearing, and deafblind cash fund
12 created in section 26-21-107 (1), C.R.S. To implement this act, the
13 department may use this appropriation as follows:

14 (a) \$4,891,755 for the communication services for people with
15 disabilities enterprise, which amount is based on an assumption that the
16 enterprise will require an additional 3.0 FTE; and

17 (b) \$66,870 for the purchase of legal services.

18 (4) For the 2025-26 state fiscal year, \$66,870 is appropriated to
19 the department of law. This appropriation is from reappropriated funds
20 received from the department of human services under subsection (3)(b)
21 of this section and is based on an assumption that the department of law
22 will require an additional 0.3 FTE. To implement this act, the department
23 of law may use this appropriation to provide legal services for the
24 department of human services.

25 (5) For the 2025-26 state fiscal year, \$21,467 is appropriated to
26 the department of revenue. This appropriation is from the prepaid
27 wireless trust cash fund created in section 40-17-104 (2)(e)(II), C.R.S. To

1 implement this act, the department may use this appropriation as follows:

2 (a) \$10,892 for tax administration IT system (GenTax) support;

3 (b) \$2,176 for use by the taxation business group for personal
4 services related to taxation services;

5 (c) \$ 4,725 for use by the executive director's office for personal
6 services related to administration and support; and

7 (d) \$3,674 for the purchase of document management services.

8 (6) For the 2025-26 state fiscal year, \$3,674 is appropriated to the
9 department of personnel. This appropriation is from reappropriated funds
10 received from the department of revenue under subsection (5)(d) of this
11 section. To implement this act, the department of personnel may use this
12 appropriation to provide document management services for the
13 department of revenue.

14 **SECTION 32. Safety clause.** The general assembly finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety or for appropriations for
17 the support and maintenance of the departments of the state and state
18 institutions.