

HOUSE COMMITTEE OF REFERENCE REPORT

	February 19, 2025
Chair of Committee	Date

Committee on Health & Human Services.

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

HB25-1154 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

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

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

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

13 (a) A COMMUNICATIONS SERVICES FOR PEOPLE WITH DISABILITIES
14 ENTERPRISE, AS WELL AS THE DIVISION AND COMMISSION, FACILITATES THE
15 PROVISION OF STATE AND LOCAL GOVERNMENT SERVICES FOR INDIVIDUALS
16 WHO ARE DEAF, HARD OF HEARING, AND DEAFBLIND, WHILE MAKING
17 GOVERNMENT MORE EFFICIENT;

18 (b) UNDER THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF
19 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND
20 IMPLEMENTING REGULATIONS, COLORADO HAS A DUTY TO PROVIDE
21 EQUIVALENT ACCESS TO STATE GOVERNMENT AND PUBLIC
22 ACCOMMODATIONS TO PEOPLE WITH COMMUNICATION-RELATED
23 DISABILITIES. THIS DUTY REQUIRES STATE DEPARTMENTS AND AGENCIES
24 TO PROVIDE AUXILIARY SERVICES, COMMUNICATIONS TECHNOLOGY
25 EQUIPMENT, TELECOMMUNICATIONS RELAY SERVICES, AND OTHER
26 RESOURCES TO ENSURE ACCESS.

27 (c) CENTRALIZING AND UNIFYING THE RESOURCES CREATES A COST

1 SAVINGS FOR THE STATE, FACILITATES QUALITY CONTROL, AND INCREASES
2 THE EFFECTIVENESS OF SERVICES, WHILE INCREASING ACCESS TO THE
3 SERVICES.

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

5 (a) THE COMMUNICATIONS SERVICES FOR PEOPLE WITH
6 DISABILITIES ENTERPRISE CREATED IN THIS ARTICLE 21 PROVIDES
7 VALUABLE BUSINESS SERVICES TO INDIVIDUALS WHO HAVE
8 COMMUNICATION NEEDS RELATED TO THEIR DISABILITIES BY:

9 (I) COORDINATING THE PROVISION OF, AND ACCESS TO, EFFICIENT
10 AND EFFECTIVE SERVICES AND RESOURCES FOR INDIVIDUALS WHO HAVE
11 COMMUNICATION NEEDS RELATED TO THEIR DISABILITIES, INCLUDING BY:

12 (A) ESTABLISHING AND COORDINATING A COMMUNICATIONS
13 TECHNOLOGY PROGRAM TO OBTAIN AND DISTRIBUTE INTERACTIVE
14 TELECOMMUNICATIONS AND OTHER COMMUNICATIONS TECHNOLOGY
15 EQUIPMENT NEEDED BY INDIVIDUALS WHO HAVE COMMUNICATION NEEDS
16 RELATED TO THEIR DISABILITIES;

17 (B) ESTABLISHING AND COORDINATING A TELECOMMUNICATIONS
18 RELAY SERVICE PROGRAM FOR INDIVIDUALS IN THE STATE WHO ARE DEAF,
19 HARD OF HEARING, DEAFBLIND, OR SPEECH DISABLED;

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

23 (D) APPROVING SIGN LANGUAGE INTERPRETER CERTIFICATIONS AS
24 VALID AND RELIABLE IN THE STATE, THEREBY ENABLING APPROPRIATE
25 COMMUNICATION ACCESS SERVICES IN RELATION TO THE WORKFORCE AND
26 IN COMMERCE; AND

27 (II) COORDINATING AND SUPPORTING THE SERVICES AND
28 RESOURCES DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION. THE
29 ENTERPRISE AND DIVISION HELP FACILITATE THE ENGAGEMENT OF
30 INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
31 HAVE SPEECH OR OTHER COMMUNICATION-RELATED DISABILITIES IN THE
32 WORKFORCE AND IN COMMERCE, THUS PROVIDING BENEFITS TO COLORADO
33 BUSINESSES AND EMPLOYERS THAT BENEFIT FROM THE ECONOMIC
34 DEVELOPMENT STIMULATED BY THE WORKFORCE AND COMMERCIAL
35 ENGAGEMENT.

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

40 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
41 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896
42 P.2D 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
43 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE

1 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
2 THAT THE REVENUE COLLECTED BY THE ENTERPRISE IS GENERATED BY
3 FEES, NOT TAXES, BECAUSE THE MONEY CREDITED TO THE ENTERPRISE IS:
4 (I) FOR THE SPECIFIC PURPOSE OF ALLOWING THE ENTERPRISE TO
5 DEFRAID THE COSTS OF PROVIDING THE SERVICES AND RESOURCES
6 DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION;
7 (II) COLLECTED AT RATES THAT ARE REASONABLY CALCULATED
8 BASED ON THE COSTS OF THE SERVICES AND RESOURCES PROVIDED BY THE
9 ENTERPRISE; AND
10 (III) NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION
11 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6
12 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR
13 SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE
14 CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN
15 SECTION 24-77-103.6 (6)(b), SO LONG AS THE ENTERPRISE QUALIFIES AS
16 AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
17 CONSTITUTION;
18 (d) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
19 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
20 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
21 AND SURCHARGES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL
22 IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE
23 ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION
24 24-77-108.
25 (e) FOR PURPOSES OF THE LIMIT SET FORTH IN SECTION 24-77-108,
26 THE START DATE OF THE ENTERPRISE IS IN FISCAL YEAR 2024-25.
27 **SECTION 3.** In Colorado Revised Statutes, 26-21-103, **amend**
28 (3); **repeal** (1); and **add** (2.3), (3.5), (4.4), (4.5), (4.6), (8.5), (11), and
29 (12) as follows:
30 **26-21-103. Definitions.** As used in this article 21, unless the
31 context otherwise requires:
32 (1) ~~"Advisory council" means the Colorado deafblind advisory~~
33 ~~council appointed by the commission in accordance with section~~
34 ~~26-21-105 (2)(f).~~
35 (2.3) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE
36 ENTERPRISE APPOINTED PURSUANT TO SECTION 26-21-103.5 (2).
37 (3) "Commission" means the Colorado commission for the deaf,
38 hard of hearing, and deafblind ADVISORY COUNCIL CREATED PURSUANT
39 TO SECTION 26-21-104 (1).
40 (3.5) "COMMUNICATION ACCESS REALTIME TRANSLATION" OR
41 "CART" HAS THE SAME MEANING AS "COMMUNICATION ACCESS REALTIME
42 TRANSLATION (CART) REPORTER", AS SET FORTH IN SECTION 13-90-202
43 (5).

1 (4.4) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
2 HEARING, AND DEAFBLIND CREATED IN SECTION 26-21-106 AND CONSISTS
3 OF STAFF OF THE STATE DEPARTMENT.

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

6 (4.6) "FUND" MEANS THE COLORADO DIVISION FOR THE DEAF,
7 HARD OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION
8 26-21-107.

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

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

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

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

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

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

33 (II) IMPOSING A TELEPHONE DISABILITY ACCESS SURCHARGE ON
34 SERVICE USERS, AS DEFINED IN SECTION 40-17-101 (11), IN
35 COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION, IN AN AMOUNT
36 NOT TO EXCEED FIFTEEN CENTS PER MONTH PER TELEPHONE ACCESS LINE,
37 AS DEFINED IN SECTION 40-17-101 (10). THE AMOUNT OF THE SURCHARGE
38 SHALL BE REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE
39 AMOUNT OF THE SURCHARGE, IN COMBINATION WITH THE PREPAID
40 TELEPHONE DISABILITY ACCESS CHARGE, SHALL BE SET AT A RATE
41 SUFFICIENT TO FUND THE ACTIVITIES DESCRIBED IN THIS SUBSECTION
42 (1)(a). THE AMOUNT OF THE SURCHARGE IMPOSED PER TELEPHONE ACCESS
43 LINE MUST BE UNIFORM, REGARDLESS OF THE TECHNOLOGY USED TO

1 PROVIDE THE TELEPHONE ACCESS LINE.

2 (III) IMPOSING A PREPAID TELEPHONE DISABILITY ACCESS CHARGE
3 ON EACH RETAIL TRANSACTION, AS DEFINED IN SECTION 40-17-101 (6), IN
4 AN AMOUNT TO BE ESTABLISHED ANNUALLY BY THE ENTERPRISE, IN
5 COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION, BUT NOT TO
6 EXCEED FIFTEEN CENTS PER EACH RETAIL TRANSACTION IN WHICH PREPAID
7 WIRELESS SERVICE IS PURCHASED IN COLORADO. THE AMOUNT OF THE
8 CHARGE SHALL BE REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE
9 AMOUNT OF THE CHARGE, IN COMBINATION WITH THE TELEPHONE
10 DISABILITY ACCESS SURCHARGE, SHALL BE SET AT A RATE SUFFICIENT TO
11 FUND THE ACTIVITIES DESCRIBED IN THIS SUBSECTION (1)(a).

12 (IV) IN COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION
13 AND THE DEPARTMENT OF EDUCATION, ONCE PER YEAR, ADJUSTING THE
14 PERCENTAGE OF THE TELEPHONE DISABILITY ACCESS SURCHARGE AND THE
15 PREPAID TELEPHONE DISABILITY ACCESS CHARGE TO BE USED FOR THE
16 COLORADO DIVISION FOR THE DEAF, HARD OF HEARING, AND DEAFBLIND
17 CASH FUND AND THE READING SERVICES FOR THE BLIND CASH FUND
18 CREATED IN SECTION 24-90-105.5 AND BY THE STATE LIBRARIAN FOR THE
19 TALKING BOOK LIBRARY WITHIN THE DEPARTMENT OF EDUCATION.

20 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
21 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, SO LONG AS
22 THE ENTERPRISE RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND
23 RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN
24 GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS
25 COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO
26 THIS SUBSECTION (1)(b), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20
27 OF ARTICLE X OF THE STATE CONSTITUTION.

28 (c) THE BOARD, WITH THE ADVICE OF THE DIVISION AND THE
29 COMMISSION, SHALL ADMINISTER THE ENTERPRISE IN ACCORDANCE WITH
30 THIS SECTION.

31 (d) THE ENTERPRISE MAY ISSUE REVENUE BONDS TO PAY FOR THE
32 EXPENSES OF THE ENTERPRISE, WHICH BONDS ARE SECURED BY REVENUE
33 OF THE ENTERPRISE.

34 (e) THE ENTERPRISE SHALL NOT INCREASE THE AMOUNTS OF THE
35 TELEPHONE DISABILITY ACCESS SURCHARGE OR THE PREPAID TELEPHONE
36 DISABILITY ACCESS CHARGE IN AN AMOUNT THAT CAUSES THE
37 CUMULATIVELY COLLECTED FEES TO EXCEED ONE HUNDRED MILLION
38 DOLLARS IN THE FIRST FIVE YEARS OF THE ENTERPRISE'S EXISTENCE.

39 (2) (a) THE ENTERPRISE SHALL BE GOVERNED BY A BOARD OF
40 DIRECTORS APPOINTED BY THE GOVERNOR.

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

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

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

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

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

6 **26-21-104. Commission created - appointments - repeal.**
7 (1) The Colorado commission for the deaf, hard of hearing, and
8 deafblind ADVISORY COUNCIL is created in the STATE department. of
9 human services. The commission is a **type 2** entity, as defined in section
10 ~~24-1-105~~, and exercises its powers and performs its duties and functions
11 under the STATE department. ~~of human services~~. THE DIVISION AND
12 COMMISSION SHALL ADVISE THE ENTERPRISE AND STATE AGENCIES
13 REGARDING THE 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.~~

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

33 ~~(HH) The commission shall appoint initial members to the advisory~~
34 ~~council by July 1, 2019. The commission shall designate four members~~
35 ~~to serve an initial four-year term and three members to serve an initial~~
36 ~~six-year term. After the initial terms, all subsequent appointees serve~~
37 ~~four-year terms. The commission shall appoint a qualified person to fill~~
38 ~~any vacancy on the advisory council for the remainder of any unexpired~~
39 ~~term. The advisory council has the following appointees:~~

40 ~~(A) One member who is deaf and blind;~~
41 ~~(B) One member who is deaf and low vision;~~
42 ~~(C) One member who is hard of hearing and blind;~~
43 ~~(D) One member who is hard of hearing and low vision;~~

1 ~~(E) One member who is latent deafblind;~~
2 ~~(F) One member who is a professional working with the deafblind~~
3 ~~community; and~~
4 ~~(G) One member who is a parent of a deafblind child.~~
5 (g) THE COMMISSION SHALL ADVISE THE DIVISION ON ITS
6 FUNCTIONS AND DUTIES AS SET FORTH IN SECTION 26-21-106.
7 (5) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5)
8 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2031. BEFORE THE REPEAL,
9 SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5) ARE
10 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.
11 **SECTION 7.** In Colorado Revised Statutes, 26-21-106, **amend**
12 (1) introductory portion, (1)(d), (1)(e)(I), (1)(e)(II), (1)(f), (2), (3), (4)
13 introductory portion, (4)(g)(II) introductory portion, (4)(g)(II)(B), (6), (7)
14 introductory portion, (7)(a), (7)(b), (8) introductory portion, (8.5), (9)(a)
15 introductory portion, (9)(a)(VIII), (9)(b), and (9)(c)(I); **repeal** (9)(a)(IX);
16 and **add** (1)(g), (1.5), and (1.7) as follows:
17 **26-21-106. Division for the deaf, hard of hearing, and**
18 **deafblind - creation - powers, functions, and duties - programs -**
19 **report - rules - definitions.** (1) THE DIVISION FOR THE DEAF, HARD OF
20 HEARING, AND DEAFBLIND IS CREATED IN THE STATE DEPARTMENT. The
21 powers, functions, and duties of the ~~commission~~ DIVISION include:
22 (d) Assessing how communications technology has affected the
23 needs of THE deaf, hard of hearing, and deafblind, ~~The commission shall~~
24 ~~assess~~ INCLUDING the type and amount of equipment needed by THE deaf,
25 hard-of-hearing, and deafblind ~~persons~~ COMMUNITY AND
26 SPEECH-DISABLED INDIVIDUALS who qualify under the federal poverty
27 guidelines established in accordance with the "Omnibus Budget
28 Reconciliation Act of 1981", 42. U.S.C. 9902 (2);
29 (e) Assessing the needs of THE deaf, hard-of-hearing, and
30 deafblind COMMUNITY and reporting annually to the governor and the
31 general assembly any recommendations for legislation ~~or~~ and
32 administrative changes that may facilitate or streamline the provision of
33 ~~general~~ government services to INDIVIDUALS WHO ARE deaf, hard of
34 hearing, ~~and~~ OR deafblind. Notwithstanding section 24-1-136 (11)(a)(I),
35 on or before September 1 of each year, the ~~commission must~~ DIVISION
36 SHALL file the report required by this subsection (1)(e). In preparing the
37 annual report and recommendations, the ~~commission~~ DIVISION shall
38 consider the following:
39 (I) Whether any existing statutory or administrative provisions
40 impede the ability of the ~~commission~~ DIVISION to act as a statewide
41 coordinating agency advocating for INDIVIDUALS WHO ARE deaf, hard of
42 hearing, ~~and~~ OR deafblind ~~individuals~~ in Colorado; AND
43 (II) Any methods, programs, or policies that may improve

1 communication AND ENVIRONMENTAL accessibility and quality of existing
2 services, promote or deliver necessary new services, and assist state
3 agencies in the delivery of services to deaf, hard-of-hearing, and
4 deafblind INDIVIDUALS;

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

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

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

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

20 (1.5) (a) ON AND AFTER JUNE 30, 2025, THE RIGHTS, POWERS,
21 DUTIES, AND FUNCTIONS REGARDING THE TELECOMMUNICATIONS RELAY
22 SERVICES VESTED IN THE PUBLIC UTILITIES COMMISSION PRIOR TO THAT
23 DATE ARE TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION TO THE
24 DIVISION FOR THE DIVISION TO PERFORM THE FUNCTIONS DESCRIBED IN
25 SUBSECTION (1)(g) OF THIS SECTION.

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

31 (II) ANY CONTRACT ENTERED INTO BY THE PUBLIC UTILITIES
32 COMMISSION PRIOR TO JUNE 30, 2025, IN CONNECTION WITH THE
33 FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS
34 SUBSECTION (1.5) IS VALIDATED, WITH THE DIVISION SUCCEEDING TO ALL
35 RIGHTS AND OBLIGATIONS UNDER THE CONTRACT.

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

40 (1.7) PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE
41 DIVISION DIRECTOR AND THE BOARD AND WITHOUT REGARD TO THE
42 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, THE DIVISION
43 SHALL PROVIDE ADMINISTRATIVE, PROFESSIONAL, AND TECHNICAL STAFF

1 TO ASSIST THE BOARD WITH THE CONDUCT OF THE AFFAIRS OF THE
2 ENTERPRISE.

3 (2) The ~~commission~~ DIVISION shall consider the findings of any
4 study authorized under this section and may approve, disapprove, or
5 amend the findings. After consideration of the findings, the ~~commission~~
6 DIVISION shall submit a report with recommendations, including proposed
7 legislation, if necessary, to the governor and to the general assembly. The
8 ~~commission~~ DIVISION shall submit the report annually, notwithstanding
9 section 24-1-136 (11)(a)(I), and may combine the report with, or include
10 the report as a part of, the annual report prepared under subsection (1)(e)
11 of this section.

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

18 (4) The ~~commission~~ DIVISION, in collaboration with the judicial
19 department, shall arrange for auxiliary services FOR DEAF,
20 HARD-OF-HEARING, AND DEAFBLIND INDIVIDUALS for the state court
21 system. Arranging auxiliary services for the state court system includes:
22 (g) (II) ~~For the purposes of AS USED IN~~ this subsection (4)(g):
23 (B) "Qualified interpreter" means ~~a person~~ AN INDIVIDUAL who
24 has a valid certification of competency accepted by the ~~commission~~
25 DIVISION and includes ~~but is not limited to~~, oral interpreters, sign
26 language interpreters, and intermediary interpreters.

27 (6) The ~~commission~~ DIVISION shall establish and maintain
28 outreach and consulting services to improve and ensure effective access
29 to auxiliary services by critical state and local government agencies,
30 private agencies, and other entities. The ~~commission~~ DIVISION shall also
31 use these services to increase awareness of the programs ~~funded by the~~
32 ~~Colorado telephone users with disabilities fund established pursuant to~~
33 ~~section 40-17-104~~ THAT THE DIVISION FUNDS AND ADMINISTERS FOR THE
34 PUBLIC.

35 (7) The ~~commission's~~ DIVISION'S outreach and consulting services
36 include the following duties:
37 (a) Provide resources to DEAF, HARD-OF-HEARING, AND DEAFBLIND
38 individuals who have encountered barriers to obtaining necessary
39 services;
40 (b) Assist DEAF, HARD-OF-HEARING, AND DEAFBLIND individuals
41 in understanding and accessing services that may be available to them;
42 (8) The ~~commission~~ DIVISION shall maintain a community access
43 program for one-on-one system navigating services to ensure resources

1 are available to DEAF, HARD-OF-HEARING, AND DEAFBLIND individuals and
2 to protect each ~~person's~~ INDIVIDUAL'S right to effective communication
3 and access to environmental information. The community access program
4 must include the following:

5 (8.5) **Community intervener program.** (a) ~~On or before October~~
6 ~~1, 2023, the commission~~ THE DIVISION shall establish a family and
7 community intervener program. The family and community intervener
8 program shall work with ~~children~~ INDIVIDUALS who are deafblind to
9 facilitate critical connections between the ~~child~~ INDIVIDUAL and the
10 ~~child's~~ INDIVIDUAL'S family, community, and environment. The family
11 and community intervener program must include ~~but need not be limited~~
12 ~~to,~~ access to a family and community intervener with specific training in
13 deafblindness, strategies to build language and communication skills, and
14 intervention strategies. The intervener shall:

15 (I) Work one-on-one with ~~a child~~ AN INDIVIDUAL who is deafblind
16 in order to facilitate critical connections between the ~~child~~ INDIVIDUAL
17 and ~~the child's~~ THEIR community, family, and environment;

18 (II) Open channels of communication between the ~~child~~
19 INDIVIDUAL and others;

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

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

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

26 (b) The ~~commission~~ DIVISION shall hire ~~an~~ A FAMILY AND
27 COMMUNITY intervener program manager to direct services for ~~children~~
28 INDIVIDUALS who are deafblind WITH ADDITIONAL COGNITIVE
29 DISABILITIES, PHYSICAL DISABILITIES, OR BOTH and ensure that an
30 intervener:

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

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

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

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

39 (V) Uses interpersonal communication, including sign language,
40 speech, tangible communication symbols, gestures, calendars, and
41 augmentative communication devices;

42 (VI) Makes sights, sounds, and activities accessible to the ~~child~~
43 INDIVIDUAL by learning the ~~child's~~ INDIVIDUAL'S specific communication

1 system; and

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

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

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

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

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

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

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

27 (IX) ~~Creating an advisory council to make recommendations to~~
28 ~~the commission about the provision of auxiliary services in rural areas;~~
29 ~~and~~

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

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

40 **SECTION 8.** In Colorado Revised Statutes, 26-21-107, **amend**
41 **(1); and add (4) as follows:**

42 **26-21-107. Colorado division for the deaf, hard of hearing,**
43 **and deafblind cash fund - creation - gifts, grants, and donations -**

1 **reimbursement.** (1) There is ~~hereby~~ created in the state treasury the
2 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
3 deafblind cash fund. All money credited to the fund must, PURSUANT TO
4 SECTION 26-21-103.5 (1)(a)(IV), be used exclusively for the
5 administration and discharge of THE DUTIES OF THE ENTERPRISE,
6 COMMISSION MEMBERS, AND DIVISION STAFF UNDER this article 21. All
7 money credited to the fund and any interest earned from the investment
8 of money in the fund remains in the fund and does not revert to the
9 general fund or any other fund at the end of any fiscal year.

10 (4) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
11 STATE DEPARTMENT FOR THE PURPOSES SET FORTH IN SECTION 26-21-102.

12 **SECTION 9.** In Colorado Revised Statutes, 26-21-107.5, **amend**
13 (1), (2), and (7) as follows:

14 **26-21-107.5. Colorado division for the deaf, hard of hearing,**
15 **and deafblind grant program - creation - standards - applications -**
16 **definition.** (1) The Colorado ~~commission~~ DIVISION for the deaf, hard of
17 hearing, and deafblind grant program is ~~hereby~~ established to provide
18 funding for entities to address the needs of Colorado's INDIVIDUALS WHO
19 ARE deaf, ~~hard-of-hearing, or~~ HARD OF HEARING, AND deafblind.
20 ~~individuals.~~

21 (2) (a) The Colorado ~~commission~~ DIVISION for the deaf, hard of
22 hearing, and deafblind grant program committee appointed pursuant to
23 section 26-21-107.7 shall administer the grant program as provided in
24 section 26-21-107.7.

25 (b) The ~~commission~~ DIVISION shall pay the grants awarded
26 through the grant program from money appropriated by the general
27 assembly.

28 (c) Subject to available money, the general assembly shall
29 appropriate to the ~~commission~~ DIVISION no more than fifty thousand
30 dollars annually to administer the grant program.

31 (7) Grantees shall comply with reporting requirements established
32 by the ~~commission~~ DIVISION.

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

36 **26-21-107.7. Colorado division for the deaf, hard of hearing,**
37 **and deafblind grant program committee - creation - members - duties**
38 **- reimbursement for expenses.** (1) (a.5) (I) There is ~~hereby~~ created the
39 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
40 deafblind grant program committee, referred to in this section as the
41 "committee", consisting of five members, for the purpose of
42 recommending to the ~~commission~~ DIVISION approval or disapproval of
43 applications for the grant program.

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

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

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

12 (d) The appointed members of the committee shall serve
13 three-year terms. ~~except that, of the members first appointed, one of the~~
14 ~~members shall serve a two-year term and two of the members shall serve~~
15 ~~one-year terms. The commission shall choose those members who shall~~
16 ~~serve the initial shortened terms.~~ If a vacancy arises in one of the
17 appointed positions, the ~~commission~~ DIVISION shall appoint a replacement
18 to fill the vacancy for the remainder of the term.

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

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

27 (3) The ~~commission~~ DIVISION shall review and may follow the
28 recommendations of the committee for approval or disapproval of
29 applications for the grant program and for grant amounts. If the
30 ~~commission~~ DIVISION disagrees with the recommendations of the
31 committee, the ~~executive~~ director of the ~~department shall have~~ DIVISION
32 HAS final decision-making authority to approve or disapprove the
33 applications and to set the grant amounts.

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

36 **26-21-107.9. Rules.** THE BOARD MAY ADOPT RULES AS NECESSARY
37 TO IMPLEMENT THIS ARTICLE 21.

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

40 **26-21-108. Repeal of article - sunset review.** ~~(1) This article 21~~
41 ~~is repealed, effective September 1, 2031.~~

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

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

24-90-105.5. Literacy support services for persons who are blind or print-disabled - authority of state librarian - fund. (5) The general assembly recognizes the importance of privately operated reading services to enable persons who are blind or print-disabled to gain access to otherwise inaccessible print materials. The state librarian has the authority to administer money in the reading services for the blind cash fund, which is created in the state treasury PURSUANT TO SECTION 26-21-103.5 (1)(a)(IV), for the support of privately operated reading services. The fund consists of any public or private money transferred, appropriated, or otherwise credited to the fund. All money credited to the fund and all interest earned on the investment of money in the fund is a part of the fund and must not be transferred or credited to the general fund or to any other fund except as directed by the general assembly acting by bill. ~~The general assembly shall make annual appropriations from the reading services for the blind cash fund to the state librarian to carry out the purposes of this section~~ MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE STATE LIBRARIAN TO CARRY OUT THE PURPOSES OF THIS SECTION.

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

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

ARTICLE 17

Telephone Disability Access

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

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

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

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

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

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

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

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

1 (8) "SERVICE SUPPLIER" MEANS A PERSON PROVIDING TELEPHONE
2 ACCESS LINES TO ANY SERVICE USER IN THE STATE, EITHER DIRECTLY OR
3 BY RESALE.

4 (9) "SERVICE USER" MEANS A PERSON THAT IS PROVIDED A
5 TELEPHONE ACCESS LINE IN THE STATE.

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

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

14 **40-17-102. Telephone disability access surcharges collected for**
15 **the enterprise - remittance - rules.** (1) THE COMMISSION SHALL
16 COLLECT, ON BEHALF OF THE COMMUNICATION SERVICES FOR PEOPLE WITH
17 DISABILITIES ENTERPRISE, THE TELEPHONE DISABILITY ACCESS SURCHARGE
18 TO FUND THE ENTERPRISE. THE COMMISSION SHALL COLLABORATE WITH
19 THE ENTERPRISE TO ESTABLISH THE AMOUNT OF THE SURCHARGE ONCE
20 PER YEAR.

21 (2) (a) EACH SERVICE SUPPLIER SHALL COLLECT THE SURCHARGE
22 FROM ITS SERVICE USERS. THE SURCHARGE IS THE LIABILITY OF THE
23 SERVICE USER AND NOT OF THE SERVICE SUPPLIER; EXCEPT THAT THE
24 SERVICE SUPPLIER IS LIABLE TO REMIT ALL SURCHARGES THAT THE
25 SERVICE SUPPLIER COLLECTS FROM SERVICE USERS.

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

28 (3) (a) THE SERVICE SUPPLIER SHALL REMIT THE COLLECTED
29 SURCHARGES TO THE COMMISSION ON A MONTHLY BASIS IN A MANNER
30 ESTABLISHED BY THE COMMISSION. THE COMMISSION SHALL ESTABLISH
31 REMITTANCE PROCEDURES BY RULE. A SERVICE SUPPLIER IS SUBJECT TO
32 THE PENALTIES AND PROCEDURES SET FORTH IN SECTION 40-17-103 FOR
33 THE FAILURE TO COLLECT OR CORRECTLY REMIT A SURCHARGE IN
34 ACCORDANCE WITH THIS SECTION.

35 (b) A SERVICE SUPPLIER MAY DEDUCT AND RETAIN ONE PERCENT
36 OF THE SURCHARGES THAT ARE COLLECTED BY THE SERVICE SUPPLIER
37 FROM ITS SERVICE USERS.

38 (c) (I) THE STATE TREASURER SHALL CREDIT THE SURCHARGE
39 COLLECTIONS REMITTED TO THE COMMISSION PURSUANT TO SUBSECTION
40 (3)(a) OF THIS SECTION TO THE COLORADO DIVISION FOR THE DEAF, HARD
41 OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION 26-21-107
42 (1). ANY SURCHARGE TRANSMITTED TO THE STATE TREASURER THAT IS
43 COLLECTED ON BEHALF OF THE ENTERPRISE IS EXCLUDED FROM STATE

1 FISCAL YEAR SPENDING.

2 (II) THE COMMISSION MAY RETAIN UP TO FOUR PERCENT OF THE
3 COLLECTED SURCHARGES NECESSARY TO REIMBURSE THE COMMISSION FOR
4 ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE COLLECTION AND
5 REMITTANCE OF SURCHARGES FOR THE ENTERPRISE, INCLUDING COSTS
6 RELATED TO CONDUCTING AUDITS OF SERVICE SUPPLIERS IN ACCORDANCE
7 WITH SECTION 40-17-103.

8 (4) THE SURCHARGE IMPOSED BY THE ENTERPRISE PURSUANT TO
9 SECTION 26-21-103.5 (1)(a)(II) IS THE ONLY DIRECT COMMUNICATION
10 SERVICES FOR PEOPLE WITH DISABILITIES FUNDING OBLIGATION IMPOSED
11 UPON SERVICE USERS IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER
12 CHARGE TO FUND THE ENTERPRISE IS IMPOSED BY THE STATE, ANY
13 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL
14 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,
15 PURCHASE, USE, OR PROVISION OF A TELEPHONE ACCESS LINE IN THE
16 STATE.

17 (5) THIS SECTION DOES NOT APPLY TO PREPAID WIRELESS
18 TELECOMMUNICATIONS SERVICES.

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

22 **40-17-103. Service supplier obligations - penalties - audits -**
23 **rules.** (1) EVERY SERVICE SUPPLIER SHALL COLLECT THE TELEPHONE
24 DISABILITY ACCESS SURCHARGE FROM ITS SERVICE USERS.

25 (2) A SERVICE SUPPLIER IS LIABLE ONLY FOR THE SURCHARGE
26 COLLECTED PURSUANT TO THIS ARTICLE 17 UNTIL THE SURCHARGE IS
27 REMITTED TO THE COMMISSION. THE AMOUNT REMITTED BY THE SERVICE
28 SUPPLIER MUST REFLECT THE ACTUAL COLLECTIONS BASED ON THE
29 ACTUAL TELEPHONE ACCESS LINE BILLED.

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

33 (4) (a) THE SERVICE SUPPLIER SHALL MAINTAIN A RECORD OF THE
34 AMOUNT OF EACH SURCHARGE COLLECTED AND REMITTED BY THE SERVICE
35 USER ADDRESS FOR A PERIOD OF THREE YEARS AFTER THE TIME THE
36 CHARGE IS COLLECTED AND REMITTED.

37 (b) IF A SERVICE SUPPLIER FAILS TO TIMELY FILE A REPORT AND
38 REMIT THE SURCHARGE AS REQUIRED BY THIS SECTION, OR IF A SERVICE
39 SUPPLIER FILES AN INCORRECT REPORT OR FAILS TO REMIT THE CORRECT
40 AMOUNT, THE COMMISSION SHALL ESTIMATE THE AMOUNT OF THE
41 REMITTANCE DUE FOR THE PERIOD OR PERIODS FOR WHICH THE SERVICE
42 SUPPLIER IS DELINQUENT. THE COMMISSION SHALL MAKE THE ESTIMATE
43 BASED ON THE INFORMATION AVAILABLE. THE COMMISSION SHALL

1 COMPUTE AND ASSESS A PENALTY EQUAL TO FIFTEEN PERCENT OF THE
2 ESTIMATE OF THE DELINQUENT AMOUNT AND SHALL ASSESS INTEREST ON
3 THE DELINQUENT CHARGES AT THE RATE OF ONE PERCENT EACH MONTH
4 FROM THE DATE WHEN DUE UNTIL THE DATE PAID.

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

18 (d) IF, BEFORE THE EXPIRATION OF THE TIME PRESCRIBED FOR THE
19 ASSESSMENT OF DELINQUENT AMOUNTS IN SUBSECTION (4)(c) OF THIS
20 SECTION, THE COMMISSION AND THE SERVICE SUPPLIER CONSENT IN
21 WRITING TO AN ASSESSMENT AFTER SUCH TIME, THE AMOUNT
22 CALCULATED IN ACCORDANCE WITH SUBSECTION (4)(b) OF THIS SECTION
23 MAY BE ASSESSED AT ANY TIME PRIOR TO THE EXPIRATION OF THE PERIOD
24 AGREED UPON. THE PERIOD AGREED UPON MAY BE EXTENDED BY
25 SUBSEQUENT AGREEMENTS IN WRITING MADE BEFORE THE EXPIRATION OF
26 THE PERIOD PREVIOUSLY AGREED UPON. THE COMMISSION MAY FILE A LIEN
27 AGAINST THE PROPERTY OF THE SERVICE SUPPLIER FOR UP TO ONE YEAR
28 AFTER THE EXPIRATION OF ANY SUCH PERIOD, UNLESS OTHERWISE
29 SPECIFICALLY PROVIDED IN THIS ARTICLE 17.

30 (e) THE COMMISSION MAY CONDUCT AN AUDIT OF A SERVICE
31 SUPPLIER'S BOOKS AND RECORDS CONCERNING THE COLLECTION AND
32 REMITTANCE OF THE CHARGES AUTHORIZED UNDER THIS ARTICLE 17. A
33 PUBLIC INSPECTION OF THE AUDIT AND OF DOCUMENTS REVIEWED IN THE
34 AUDIT IS SUBJECT TO SECTION 24-72-204. THE COMMISSION IS
35 RESPONSIBLE FOR EXPENSES THE COMMISSION MAY INCUR TO CONDUCT
36 THE AUDIT. IN CONNECTION WITH AUDITS PERFORMED, SERVICE SUPPLIERS
37 SHALL MAKE RELEVANT RECORDS AVAILABLE TO THE AUDITORS AT NO
38 CHARGE. THE COMMISSION SHALL ADOPT RULES GOVERNING THE AUDIT
39 AND APPEAL PROCEDURES.

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

43 **40-17-104. Prepaid wireless telephone disability access charges**

1 **collected for the enterprise - remittance - rules.** (1) (a) A SELLER
2 SHALL COLLECT, ON BEHALF OF THE ENTERPRISE, THE PREPAID TELEPHONE
3 DISABILITY ACCESS CHARGE FROM THE CONSUMER ON EACH RETAIL
4 TRANSACTION OCCURRING IN THE STATE. THE AMOUNT OF THE PREPAID
5 TELEPHONE DISABILITY ACCESS CHARGE SHALL BE DISCLOSED TO THE
6 CONSUMER ON AN INVOICE, A RECEIPT, OR OTHER SIMILAR DOCUMENT
7 THAT THE SELLER PROVIDES TO THE CONSUMER. A SELLER SHALL ELECT
8 TO EITHER DISCLOSE OR SEPARATELY STATE THE CHARGE AND NOT
9 CHANGE THE ELECTION WITHOUT THE WRITTEN CONSENT OF THE
10 DEPARTMENT. THE SELLER IS DEEMED TO HAVE COLLECTED THE CHARGE
11 NOTWITHSTANDING THE SELLER'S FAILURE TO SEPARATELY DISCLOSE OR
12 STATE THE CHARGE ON AN INVOICE, A RECEIPT, OR OTHER SIMILAR
13 DOCUMENT THAT THE SELLER PROVIDES THE CONSUMER.

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

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

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

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

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

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

33 (c) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE IS THE
34 LIABILITY OF THE CONSUMER AND NOT OF THE SELLER; EXCEPT THAT THE
35 SELLER IS LIABLE TO REMIT ALL CHARGES THAT THE SELLER COLLECTS
36 FROM A CONSUMER AS PROVIDED IN SUBSECTION (2) OF THIS SECTION.

37 (d) THE AMOUNT OF THE PREPAID TELEPHONE DISABILITY ACCESS
38 CHARGE THAT IS COLLECTED BY A SELLER FROM A CONSUMER IS NOT
39 INCLUDED IN THE BASE FOR MEASURING ANY TAX, FEE, SURCHARGE, OR
40 OTHER CHARGE THAT IS IMPOSED BY THE STATE, ANY POLITICAL
41 SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL AGENCY.

42 (2) (a) THE SELLER SHALL REMIT ANY COLLECTED PREPAID
43 TELEPHONE DISABILITY ACCESS CHARGES TO THE DEPARTMENT AT THE

1 TIMES AND IN THE MANNER PROVIDED IN PART 1 OF ARTICLE 26 OF TITLE
2 39. THE DEPARTMENT SHALL ESTABLISH, BY RULE, REGISTRATION AND
3 PAYMENT PROCEDURES THAT SUBSTANTIALLY COINCIDE WITH THE
4 REGISTRATION AND PAYMENT PROCEDURES THAT APPLY UNDER PART 1 OF
5 ARTICLE 26 OF TITLE 39. A SELLER IS SUBJECT TO THE PENALTIES UNDER
6 PART 1 OF ARTICLE 26 OF TITLE 39 FOR FAILURE TO COLLECT OR REMIT A
7 CHARGE IN ACCORDANCE WITH THIS SECTION.

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

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

14 (d) THE DEPARTMENT SHALL, BY RULE, ESTABLISH PROCEDURES BY
15 WHICH A SELLER MAY DOCUMENT THAT A TRANSACTION IS NOT A RETAIL
16 TRANSACTION, WHICH PROCEDURES MUST SUBSTANTIALLY COINCIDE WITH
17 THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR
18 PURPOSES OF THE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE
19 39.

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

25 (II) THE DEPARTMENT MAY RETAIN UP TO THREE PERCENT OF THE
26 COLLECTED CHARGES NECESSARY TO REIMBURSE THE DEPARTMENT FOR
27 ITS DIRECT COSTS OF ADMINISTERING THE COLLECTION AND REMITTANCE
28 OF PREPAID TELEPHONE DISABILITY ACCESS CHARGES.

29 (3) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE IS THE
30 ONLY DIRECT DISABILITY COMMUNICATION ACCESS FUNDING OBLIGATION
31 IMPOSED WITH RESPECT TO PREPAID WIRELESS TELECOMMUNICATIONS
32 SERVICE IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER CHARGE TO
33 FUND DISABILITY COMMUNICATION ACCESS IS IMPOSED BY THE STATE, ANY
34 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL
35 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,
36 PURCHASE, USE, OR PROVISION OF PREPAID WIRELESS
37 TELECOMMUNICATIONS SERVICE.

38 (4) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE SHALL
39 NOT BE IMPOSED ON THE SELLER OR THE CONSUMER WITH RESPECT TO
40 FEDERALLY SUPPORTED LIFELINE SERVICE.

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

43 **2-3-1203. Sunset review of advisory committees - legislative**

1 **declaration - definition - repeal.** (22) (a) The following statutory
2 authorizations for the designated advisory committees will repeal on
3 September 1, 2031:

4 (VII) THE COLORADO COMMISSION FOR THE DEAF, HARD OF
5 HEARING, AND DEAFBLIND ADVISORY COUNCIL, AS SET FORTH IN SECTIONS
6 26-21-104 AND 26-21-105 (2) AND (5).

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

9 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
10 person engages in a deceptive trade practice when, in the course of the
11 person's business, vocation, or occupation, the person:

12 (e) (I) Claims to be a "sign language interpreter", "interpreter for
13 the deaf", "deaf interpreter", "ASL-English interpreter", "American sign
14 language (ASL) interpreter", "translator" for sign language,
15 "transliterator", "certified sign language interpreter", "certified translator"
16 for sign language, "certified interpreter for the deaf", "certified deaf
17 interpreter", "certified ASL-English interpreter", "certified American sign
18 language (ASL) interpreter", or "certified transliterator", unless the
19 person holds:

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

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

26 **13-71-137. Duties and responsibilities of auxiliary services**
27 **providers for jurors who are deaf, hard of hearing, or deafblind.**

28 (1) The court may provide, through the list of available resources
29 coordinated through the ~~Colorado commission~~ DIVISION for the deaf, hard
30 of hearing, and deafblind pursuant to section 26-21-106 (4), a qualified
31 PROVIDER OF auxiliary services, ~~provider~~, as defined in section 13-90-202
32 ~~(8)~~ (3), to assist during a trial a juror who is deaf, hard of hearing, or
33 deafblind. In the presence of the jury, the court shall instruct the qualified
34 auxiliary services provider to make true and complete translations of all
35 court proceedings to the juror who is deaf, hard of hearing, or deafblind
36 to the best of the qualified auxiliary services provider's ability.

37 (2) The qualified interpreter is subject to the same orders and
38 admonitions given to the jurors. The court shall permit a qualified
39 auxiliary services provider to be present and assist a juror who is deaf,
40 hard of hearing, or deafblind during the deliberations of the jury. In the
41 presence of the jury, the court shall instruct the qualified auxiliary
42 services provider to refrain from participating in any manner in the
43 deliberation of the jury and to refrain from having any communications

1 with any member of the jury regarding deliberation, except for true and
2 complete translations of jurors' remarks made during deliberation. A jury
3 verdict reached in the presence of a qualified auxiliary services provider,
4 during deliberation, is valid.

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

7 **13-90-202. Definitions.** As used in this part 2, unless the context
8 otherwise requires:

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

12 (6.3) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
13 HEARING, AND DEAFBLIND IN THE DEPARTMENT OF HUMAN SERVICES
14 CREATED IN SECTION 26-21-106 (1).

15 (7.3) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
16 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

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

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

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

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

32 **13-90-205. Coordination of auxiliary services requests.** (1) The
33 ~~commission~~ DIVISION, in collaboration with the judicial department, shall
34 establish, monitor, coordinate, and publish a list of available resources
35 regarding communication accessibility for ~~persons~~ INDIVIDUALS who are
36 deaf, hard of hearing, or deafblind, including qualified auxiliary services
37 providers, for use by an appointing authority pursuant to section
38 13-90-204. The list must contain the names of private individual
39 providers and agencies that secure qualified auxiliary services for
40 assignment.

41 (2) Whenever a qualified auxiliary service is required pursuant to
42 section 13-90-204, the appointing authority shall secure the auxiliary
43 service through the list of available resources made available and

1 coordinated by the ~~commission~~ DIVISION in accordance with subsection
2 (1) of this section.

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

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

10 **13-90-210. Compensation.** ~~Subject to the appropriations~~ PER THE
11 FUNDING available to the ~~commission~~ DIVISION, a qualified ~~interpreter or~~
12 ~~computer-aided realtime translation reporter~~ AUXILIARY SERVICES
13 PROVIDER provided pursuant to section 13-90-204 ~~shall be entitled to~~
14 ~~compensation for his or her~~ SHALL BE COMPENSATED FOR THEIR services,
15 including waiting time and necessary travel and subsistence expenses.
16 The amount of compensation shall be based on a fee schedule for
17 qualified ~~interpreters and~~ auxiliary services PROVIDERS established by the
18 ~~commission~~ DIVISION.

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

21 **18-1.3-701. Judgment of costs and fines - definitions.**
22 (1) (c) Judgments collected pursuant to this section for fees for auxiliary
23 services provided pursuant to section 13-90-204, and reimbursed pursuant
24 to section 13-90-210, shall be remitted to the ~~Colorado commission~~
25 DIVISION for the deaf, hard of hearing, and deafblind ~~in the department of~~
26 ~~human services~~ CASH FUND created in section ~~26-21-104~~ 26-21-107.

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

29 **24-1-120. Department of human services - creation.** (5) The
30 department of human services includes the following:

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

36 (g.7) THE DIVISION FOR THE DEAF, HARD OF HEARING, AND
37 DEAFBLIND CREATED IN ARTICLE 21 OF TITLE 26. THE DIVISION IS A **TYPE**
38 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
39 AND FUNCTIONS UNDER THE DEPARTMENT.

40 (h) The Colorado commission for the deaf, hard of hearing, and
41 deafblind ADVISORY COUNCIL, created in article 21 of title 26. ~~The~~
42 ~~Colorado commission for the deaf, hard of hearing, and deafblind is a~~
43 ~~type 2 entity, as defined in section 24-1-105, and exercises its powers and~~

1 performs its duties and functions under the department.

2 **SECTION 25.** In Colorado Revised Statutes, 24-34-104, **repeal**

3 (32)(a)(XII) as follows:

4 **24-34-104. General assembly review of regulatory agencies**

5 **and functions for repeal, continuation, or reestablishment - legislative**

6 **declaration - repeal.**

7 (32) (a) The following agencies, functions, or both, are scheduled

8 for repeal on September 1, 2031:

9 (XII) ~~The Colorado commission for the deaf, hard of hearing, and~~

10 ~~deafblind created in article 21 of title 26;~~

11 **SECTION 26.** In Colorado Revised Statutes, 29-2-201, **amend**

12 **as it will become effective July 1, 2025,** (8)(e) as follows:

13 **29-2-201. Definitions.** As used in this part 2, unless the context

14 otherwise requires:

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

16 (e) Prepaid wireless TRS charge imposed pursuant to ~~section~~

17 ~~29-11-102.7~~ SECTION 40-17-104; and

18 **SECTION 27.** In Colorado Revised Statutes, 29-2-202, **amend**

19 **as it will become effective July 1, 2025,** (1)(b)(V) as follows:

20 **29-2-202. Applicability.** (1) Except as provided in sections

21 29-2-209 and 29-2-211, this part 2 applies to:

22 (b) (V) The prepaid wireless TRS charge imposed pursuant to

23 ~~section 29-11-102.7~~ SECTION 40-17-104; and

24 **SECTION 28.** In Colorado Revised Statutes, 39-21-119.5,

25 **amend** (2)(t) as follows:

26 **39-21-119.5. Mandatory electronic filing of returns -**

27 **mandatory electronic payment - penalty - waiver - definitions.**

28 (2) Except as provided in subsection (6) of this section, the executive

29 director may, as specified in subsection (3) of this section, require the

30 electronic filing of returns and require the payment of any tax or fee due

31 by electronic funds transfer for the following:

32 (t) Any prepaid wireless telecommunications relay service charge

33 report required to be filed and payment required to be made pursuant to

34 ~~section 29-11-102.7(3)~~ SECTION 40-17-104; and

35 **SECTION 29.** In Colorado Revised Statutes, 40-2-112, **amend**

36 (1)(a) as follows:

37 **40-2-112. Computation of fees.** (1) (a) On or before June 1 of

38 each year, the executive director of the department of revenue shall

39 ascertain the aggregate amount of gross operating revenues of telephone

40 corporations and all other public utilities filing returns as provided in

41 section 40-2-111. Based on appropriations made by the general assembly,

42 the executive director of the department of regulatory agencies shall

43 specify, for the telecommunications utility fund, created in section

1 40-2-114 (1)(b)(I), and the public utilities commission fixed utility fund,
2 created in section 40-2-114 (1)(b)(II), the revenue needed to provide for
3 the direct and indirect costs of the supervision and regulation of telephone
4 corporations and all other public utilities under the jurisdiction of the
5 department of regulatory agencies, excluding the amount of money
6 provided as administrative support from the various telecommunications
7 programs administered by the commission, including the high cost
8 support mechanism, established in section 40-15-208; the 911 surcharge,
9 established in section 29-11-102.3; the 988 surcharge, established in
10 section 40-17.5-102; and the ~~telecommunications relay service~~
11 TELEPHONE DISABILITY ACCESS surcharge, established in ~~section~~
12 ~~40-17-103~~ SECTION 40-17-102.

13 **SECTION 30. Safety clause.** The general assembly finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety or for appropriations for
16 the support and maintenance of the departments of the state and state
17 institutions.".

** ** ** ** **