

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 25-0129.02 Jennifer Berman x3286

HOUSE BILL 25-1154

HOUSE SPONSORSHIP

Brown and Froelich, Bacon, Bird, Boesenecker, Clifford, Duran, English, Garcia, Hamrick, Jackson, Joseph, Lieder, Lindsay, Mabrey, Marshall, Martinez, McCluskie, McCormick, Paschal, Phillips, Rutinel, Sirota, Stewart K., Stewart R., Story, Titone, Willford, Zokaie

SENATE SPONSORSHIP

Jodeh and Amabile, Ball, Coleman, Cutter, Danielson, Daugherty, Exum, Gonzales J., Kipp, Kolker, Michaelson Jenet, Mullica, Wallace, Winter F.

House Committees

Health & Human Services
Appropriations

Senate Committees

Business, Labor, & Technology
Appropriations

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.

SENATE
3rd Reading Unamended
April 17, 2025

SENATE
Amended 2nd Reading
April 16, 2025

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 COMMUNICATION 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 COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
24 ENTERPRISE CREATED IN THIS ARTICLE 21 PROVIDES VALUABLE BUSINESS
25 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), (4.7)(b), and (4.8) introductory portion; repeal (1); and add (2.3),
12 (3.5), (4.4), (4.5), (4.6), (8.5), (11), and (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 (4.7) "Intervener" means a person who is at least eighteen years
9 of age and:

10 (b) Has completed or is enrolled in an intervener training OR
11 CERTIFICATION program and has obtained an intervener certificate or
12 provisional intervener certificate THAT IS RECOGNIZED AND ACCEPTED BY
13 THE DIVISION;

14 (4.8) "Intervener program manager" means a person who has
15 demonstrated intervener abilities and can proficiently communicate in the
16 functional language of children who are deafblind IS KNOWLEDGEABLE
17 ABOUT INTERVENERS, THE DEAFBLIND COMMUNITY, AND PROGRAM
18 MANAGEMENT and:

19 (8.5) "PREPAID TELEPHONE DISABILITY ACCESS CHARGE" OR
20 "CHARGE" MEANS THE CHARGE IMPOSED BY THE ENTERPRISE PURSUANT
21 TO SECTION 26-21-103.5 (1)(a)(III).

22 (11) "TELECOMMUNICATIONS RELAY SERVICES" MEANS ANY
23 TELECOMMUNICATIONS SERVICES THROUGH A THIRD PARTY THAT ALLOW
24 AN INDIVIDUAL WHO IS DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
25 HAS A SPEECH DISABILITY TO COMMUNICATE BY ANY COMPATIBLE
26 TELECOMMUNICATIONS SERVICE WITH ONE OR MORE INDIVIDUALS IN A
27 MANNER THAT IS FUNCTIONALLY EQUIVALENT TO THE ABILITY OF AN

1 INDIVIDUAL WHO DOES NOT HAVE A HEARING OR SPEECH DISABILITY.

2 (12) "TELEPHONE DISABILITY ACCESS SURCHARGE" OR

3 "SURCHARGE" MEANS THE SURCHARGE IMPOSED BY THE ENTERPRISE

4 PURSUANT TO SECTION 26-21-103.5 (1)(a)(II).

5 **SECTION 4.** In Colorado Revised Statutes, **add** 26-21-103.5 as

6 follows:

7 **26-21-103.5. Communication services for people with**

8 **disabilities enterprise - created - board of directors - membership -**

9 **fees imposed - repeal.** (1) (a) THE COMMUNICATION SERVICES FOR

10 PEOPLE WITH DISABILITIES ENTERPRISE IS CREATED IN THE STATE

11 DEPARTMENT FOR THE BUSINESS PURPOSES OF:

12 (I) COORDINATING THE PROVISION OF, AND ACCESS TO, EFFICIENT

13 AND EFFECTIVE SERVICES AND RESOURCES FOR INDIVIDUALS WHO HAVE

14 COMMUNICATION NEEDS RELATED TO THEIR DISABILITIES, INCLUDING

15 FUNDING THE DIVISION'S DUTIES, AS DESCRIBED IN SECTION 26-21-106;

16 (II) IMPOSING A TELEPHONE DISABILITY ACCESS SURCHARGE ON

17 SERVICE USERS, AS DEFINED IN SECTION 40-17-101 (9), IN CONSULTATION

18 WITH THE PUBLIC UTILITIES COMMISSION, IN AN AMOUNT NOT TO EXCEED

19 FIFTEEN CENTS PER MONTH PER TELEPHONE ACCESS LINE, AS DEFINED IN

20 SECTION 40-17-101 (10). THE AMOUNT OF THE SURCHARGE SHALL BE

21 REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE AMOUNT OF THE

22 SURCHARGE, IN COMBINATION WITH THE PREPAID TELEPHONE DISABILITY

23 ACCESS CHARGE, SHALL BE SET AT A RATE REASONABLY RELATED TO THE

24 OVERALL COST OF PROVIDING THE SERVICES DESCRIBED IN THIS

25 SUBSECTION (1)(a). THE AMOUNT OF THE SURCHARGE IMPOSED PER

26 TELEPHONE ACCESS LINE MUST BE UNIFORM, REGARDLESS OF THE

27 TECHNOLOGY USED TO PROVIDE THE TELEPHONE ACCESS LINE.

1 (III) BEGINNING JANUARY 1, 2026, IMPOSING A PREPAID
2 TELEPHONE DISABILITY ACCESS CHARGE ON EACH RETAIL TRANSACTION,
3 AS DEFINED IN SECTION 40-17-101 (6), IN AN AMOUNT TO BE ESTABLISHED
4 ANNUALLY BY THE ENTERPRISE, IN CONSULTATION WITH THE PUBLIC
5 UTILITIES COMMISSION, BUT NOT TO EXCEED FIFTEEN CENTS PER EACH
6 RETAIL TRANSACTION IN WHICH PREPAID WIRELESS SERVICE IS PURCHASED
7 IN COLORADO. THE AMOUNT OF THE CHARGE SHALL BE REVIEWED AND
8 MAY BE ADJUSTED ON JULY 1, 2026, AND ON EACH JULY 1 THEREAFTER.
9 THE ENTERPRISE SHALL NOTIFY THE DEPARTMENT OF REVENUE OF ANY
10 CHANGE MADE TO THE AMOUNT OF THE CHARGE NO LATER THAN MAY 15
11 OF THE YEAR PRECEDING THE YEAR IN WHICH THE AMOUNT CHANGE WILL
12 BECOME EFFECTIVE. THE AMOUNT OF THE CHARGE, IN COMBINATION WITH
13 THE TELEPHONE DISABILITY ACCESS SURCHARGE, SHALL BE SET AT A RATE
14 REASONABLY RELATED TO THE OVERALL COST OF PROVIDING THE
15 SERVICES DESCRIBED IN THIS SUBSECTION (1)(a).

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

25 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES
26 OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, SO LONG AS
27 THE ENTERPRISE RETAINS THE AUTHORITY TO ISSUE REVENUE BONDS AND

1 RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUE IN
2 GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS
3 COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO
4 THIS SUBSECTION (1)(b), THE ENTERPRISE IS NOT SUBJECT TO SECTION 20
5 OF ARTICLE X OF THE STATE CONSTITUTION.

6 (c) THE BOARD SHALL ADMINISTER THE ENTERPRISE IN
7 ACCORDANCE WITH THIS SECTION.

8 (d) THE ENTERPRISE MAY ISSUE REVENUE BONDS TO PAY FOR THE
9 EXPENSES OF THE ENTERPRISE, WHICH BONDS ARE SECURED BY REVENUE
10 OF THE ENTERPRISE.

11 (e) THE ENTERPRISE MAY ENGAGE THE SERVICES OF CONTRACTORS
12 AND CONSULTANTS FOR PROFESSIONAL AND TECHNICAL ASSISTANCE AND
13 TO SUPPLY OTHER SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF
14 THE ENTERPRISE, WITHOUT REGARD TO THE "PROCUREMENT CODE",
15 ARTICLES 101 TO 112 OF TITLE 24. THE ENTERPRISE SHALL ENGAGE THE
16 ATTORNEY GENERAL'S OFFICE FOR LEGAL SERVICES. THE STATE
17 DEPARTMENT MAY PROVIDE OFFICE SPACE AND STAFF TO THE ENTERPRISE
18 PURSUANT TO A FAIR MARKET RATE CONTRACT ENTERED INTO PURSUANT
19 TO THIS SUBSECTION (1)(e).

20 (f) THE ENTERPRISE SHALL NOT INCREASE THE AMOUNTS OF THE
21 TELEPHONE DISABILITY ACCESS SURCHARGE OR THE PREPAID TELEPHONE
22 DISABILITY ACCESS CHARGE IN AN AMOUNT THAT CAUSES THE
23 CUMULATIVELY COLLECTED FEES TO EXCEED ONE HUNDRED MILLION
24 DOLLARS IN THE FIRST FIVE YEARS OF THE ENTERPRISE'S EXISTENCE.

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

1 MEMBERS.

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

6 (III) BOARD MEMBERS DO NOT RECEIVE COMPENSATION FOR
7 PERFORMING OFFICIAL DUTIES OF THE BOARD BUT MAY RECEIVE A PER
8 DIEM OR REIMBURSEMENT FOR TRAVEL AND OTHER REASONABLE AND
9 NECESSARY EXPENSES FOR PERFORMING OFFICIAL DUTIES OF THE BOARD.
10 THE PER DIEM OR REIMBURSEMENT IS PAID FROM THE FUND.

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

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

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

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

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

19 **26-21-104. Commission created - appointments - repeal.**

20 (1) The Colorado commission for the deaf, hard of hearing, and
21 deafblind ADVISORY COUNCIL is created in the STATE department. ~~of~~
22 ~~human services.~~ THE DIVISION IS UNDER THE JURISDICTION OF THE
23 COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE.
24 ~~The commission is a type 2 entity, as defined in section 24-1-105, and~~
25 ~~exercises its powers and performs its duties and functions under the~~
26 ~~STATE department. of human services.~~ THE DIVISION AND COMMISSION
27 SHALL ADVISE THE ENTERPRISE AND STATE AGENCIES REGARDING THE

1 PROVISION OF SERVICES AND RESOURCES FOR THE DEAF,
2 HARD-OF-HEARING, AND DEAFBLIND COMMUNITY.

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

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

8 **26-21-105. Appointment of division director - division**
9 **procedures - commission's advisory role - repeal.** (1) The executive
10 director of the department of human services or the executive director's
11 designee shall appoint a director of the ~~commission~~ DIVISION. The
12 ~~executive director of the department~~ COMMISSION shall provide comment
13 and input to the ~~commission~~ on the hiring of the DIVISION director.

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

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

21 ~~(HH) The commission shall appoint initial members to the advisory~~
22 ~~council by July 1, 2019. The commission shall designate four members~~
23 ~~to serve an initial four-year term and three members to serve an initial~~
24 ~~six-year term. After the initial terms, all subsequent appointees serve~~
25 ~~four-year terms. The commission shall appoint a qualified person to fill~~
26 ~~any vacancy on the advisory council for the remainder of any unexpired~~
27 ~~term. The advisory council has the following appointees:~~

- 1 ~~(A) One member who is deaf and blind;~~
2 ~~(B) One member who is deaf and low vision;~~
3 ~~(C) One member who is hard of hearing and blind;~~
4 ~~(D) One member who is hard of hearing and low vision;~~
5 ~~(E) One member who is latent deafblind;~~
6 ~~(F) One member who is a professional working with the deafblind~~
7 ~~community; and~~
8 ~~(G) One member who is a parent of a deafblind child.~~

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

11 (5) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5)
12 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2031. BEFORE THE REPEAL,
13 SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5) ARE
14 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

15 **SECTION 7.** In Colorado Revised Statutes, 26-21-106, **amend**
16 (1) introductory portion, (1)(d), (1)(e) introductory portion, (1)(e)(I),
17 (1)(e)(II), (1)(f), (2), (3), (4) introductory portion, (4)(g)(II) introductory
18 portion, (4)(g)(II)(B), (6), (7) introductory portion, (7)(a), (7)(b), (8)
19 introductory portion, (8.5), (9)(a) introductory portion, (9)(a)(VIII),
20 (9)(b), and (9)(c)(I); **repeal** (9)(a)(IX); and **add** (1)(g), (1.5), and (1.7) as
21 follows:

22 **26-21-106. Division for the deaf, hard of hearing, and**
23 **deafblind - creation - powers, functions, and duties - programs -**
24 **report - rules - definitions.** (1) THE DIVISION FOR THE DEAF, HARD OF
25 HEARING, AND DEAFBLIND IS CREATED IN THE COMMUNICATION SERVICES
26 FOR PEOPLE WITH DISABILITIES ENTERPRISE. The powers, functions, and
27 duties of the ~~commission~~ DIVISION include:

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

8 (e) Assessing the needs of THE deaf, hard-of-hearing, and
9 deafblind COMMUNITY and reporting annually to the governor and the
10 general assembly any recommendations for legislation ~~or~~ and
11 administrative changes that may facilitate or streamline the provision of
12 ~~general~~ government services to INDIVIDUALS WHO ARE deaf, hard of
13 hearing, ~~and~~ OR deafblind. Notwithstanding section 24-1-136 (1)(a)(I),
14 on or before September 1 of each year, the ~~commission must~~ DIVISION
15 SHALL file the report required by this subsection (1)(e). In preparing the
16 annual report and recommendations, the ~~commission~~ DIVISION shall
17 consider the following:

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

22 (II) Any methods, programs, or policies that may improve
23 communication AND ENVIRONMENTAL accessibility and quality of existing
24 services, promote or deliver necessary new services, and assist state
25 agencies in the delivery of services to deaf, hard-of-hearing, and
26 deafblind INDIVIDUALS;

27 (f) Approving ~~an entity's certification of~~ A sign language

1 ~~interpreters~~ INTERPRETER'S CERTIFICATIONS AS VALID AND RELIABLE in
2 accordance with section 6-1-707 (1)(e)(I)(B); AND

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

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

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

15 (1.5) (a) ON AND AFTER JUNE 30, 2025, THE RIGHTS, POWERS,
16 DUTIES, AND FUNCTIONS REGARDING THE TELECOMMUNICATIONS RELAY
17 SERVICES VESTED IN THE PUBLIC UTILITIES COMMISSION PRIOR TO THAT
18 DATE ARE TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION TO THE
19 DIVISION FOR THE DIVISION TO PERFORM THE FUNCTIONS DESCRIBED IN
20 SUBSECTION (1)(g) OF THIS SECTION.

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

26 (II) ANY CONTRACT ENTERED INTO BY THE PUBLIC UTILITIES
27 COMMISSION PRIOR TO JUNE 30, 2025, IN CONNECTION WITH THE

1 FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS
2 SUBSECTION (1.5) IS VALIDATED, WITH THE DIVISION SUCCEEDING TO ALL
3 RIGHTS AND OBLIGATIONS UNDER THE CONTRACT.

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

8 (1.7) PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE
9 DIVISION DIRECTOR AND THE BOARD AND WITHOUT REGARD TO THE
10 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, THE DIVISION
11 SHALL PROVIDE ADMINISTRATIVE, PROFESSIONAL, AND TECHNICAL STAFF
12 TO ASSIST THE BOARD WITH THE CONDUCT OF THE AFFAIRS OF THE
13 ENTERPRISE.

14 (2) The ~~commission~~ DIVISION shall consider the findings of any
15 study authorized under this section and may approve, disapprove, or
16 amend the findings. After consideration of the findings, the ~~commission~~
17 DIVISION shall submit a report with recommendations, including proposed
18 legislation, if necessary, to the governor and to the general assembly. The
19 ~~commission~~ DIVISION shall submit the report annually, notwithstanding
20 section 24-1-136 (1)(a)(I), and may combine the report with, or include
21 the report as a part of, the annual report prepared under subsection (1)(e)
22 of this section.

23 (3) The ~~commission~~ DIVISION shall establish and coordinate a
24 communications technology program that is consistent with the findings
25 of subsection (1) of this section to obtain and distribute interactive
26 telecommunications and other communications technology equipment
27 needed by INDIVIDUALS WHO ARE deaf, hard of hearing, and OR deafblind

1 ~~persons~~ OR SPEECH-DISABLED.

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

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

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

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

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

21 (a) Provide resources to DEAF, HARD-OF-HEARING, AND DEAFBLIND
22 individuals who have encountered barriers to obtaining necessary
23 services;

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

26 (8) The ~~commission~~ DIVISION shall maintain a community access
27 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 AND ADULTS who are deafblind WITH
9 ADDITIONAL COGNITIVE DISABILITIES to facilitate critical connections
10 between the ~~child~~ INDIVIDUAL and the ~~child's~~ INDIVIDUAL'S family,
11 community, and environment. The family and community intervener
12 program must include ~~but need not be limited to,~~ access to a family and
13 community intervener with specific training in deafblindness, strategies
14 to build language and communication skills, and intervention strategies.
15 The intervener shall:

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

19 (II) Open channels of communication between the ~~child~~ _____
20 INDIVIDUALS and others THROUGH AN INDIVIDUALIZED AND MULTIMODAL
21 APPROACH;

22 ~~(III) Facilitate the development or use of receptive and expressive~~
23 communication skills by the child;

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

27 ~~(V)~~ (IV) Provide the ~~child~~ INDIVIDUAL with opportunities for

1 learning and development in the community and at home.

2 (b) The ~~commission~~ DIVISION shall hire ~~an~~ A FAMILY AND
3 COMMUNITY intervener program manager to direct services for children
4 AND ADULTS who are deafblind WITH ADDITIONAL COGNITIVE
5 DISABILITIES, PHYSICAL DISABILITIES, OR BOTH and ensure that an
6 intervener:

7 (I) ~~Works~~ PROVIDES INDIVIDUALIZED SERVICES, WORKING with no
8 more than one ~~child~~ INDIVIDUAL at a GIVEN time;

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

11 (~~HH~~) Transports the child to gain access to community services and
12 resources;

13 (~~IV~~) (III) Provides communication and information to the ~~child~~
14 INDIVIDUAL concerning the ~~child's~~ INDIVIDUAL'S environment that
15 otherwise would be available through vision and hearing; AND

16 (V) Uses interpersonal communication, including sign language,
17 speech, tangible communication symbols, gestures, calendars, and
18 augmentative communication devices;

19 (VI) Makes sights, sounds, and activities accessible to the ~~child~~
20 by learning the ~~child's~~ specific communication system; and

21 (~~VH~~) (IV) Forms a working alliance with the deafblind ~~child's~~
22 INDIVIDUAL'S family members, neighbors, community organizations, and
23 professionals with whom the ~~child~~ INDIVIDUAL has contact.

24 (c) The intervener program manager shall document the following
25 outcomes for intervener services in the ~~child's~~ record: ANNUALLY ASSESS
26 THE EFFECTIVENESS OF INTERVENER SERVICES FOR EACH INDIVIDUAL. IN
27 ADDITION, THE INTERVENER PROGRAM MANAGER SHALL, AS APPROPRIATE,

1 COLLABORATE WITH OTHER ENTITIES THAT PROVIDE RELATED SERVICES.

2 (I) Whether the child is effectively communicating wants and
3 needs to the child's intervener; and

4 (II) Whether the child is actively participating in community
5 activities and activities of daily living to the extent of the child's ability.

6 (d) The intervener program manager and intervener shall
7 collaborate with other state agencies as appropriate that provide direct or
8 indirect services to children who are deafblind and their families to
9 identify potential additional services or opportunities for children who are
10 deafblind.

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

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

20 (IX) ~~Creating an advisory council to make recommendations to~~
21 ~~the commission about the provision of auxiliary services in rural areas;~~
22 ~~and~~

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

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

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

8 **26-21-107. Colorado division for the deaf, hard of hearing,**
9 **and deafblind cash fund - creation - gifts, grants, and donations -**
10 **reimbursement. (1) (a)** There is ~~hereby~~ created in the state treasury the
11 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
12 deafblind cash fund. All money credited to the fund must, PURSUANT TO
13 SECTION 26-21-103.5 (1)(a)(IV), be used exclusively for the
14 administration and discharge of THE DUTIES OF THE ENTERPRISE,
15 COMMISSION MEMBERS, AND DIVISION STAFF UNDER this article 21. All
16 UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT
17 THE END OF A FISCAL YEAR AND ALL money credited to the fund and any
18 interest earned from the investment of money in the fund remains in the
19 fund and does not revert to the general fund or any other fund at the end
20 of any fiscal year.

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

26 **SECTION 9.** In Colorado Revised Statutes, 26-21-107.5, **amend**
27 (1), (2), and (7) as follows:

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

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

12 (b) The ~~commission~~ DIVISION shall pay the grants awarded
13 through the grant program from money appropriated by the general
14 assembly.

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

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

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

23 **26-21-107.7. Colorado division for the deaf, hard of hearing,**
24 **and deafblind grant program committee - creation - members - duties**
25 **- reimbursement for expenses.** (1) (a.5) (I) There is ~~hereby~~ created the
26 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
27 deafblind grant program committee, referred to in this section as the

1 "committee", consisting of five members, for the purpose of
2 recommending to the ~~commission~~ DIVISION approval or disapproval of
3 applications for the grant program.

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

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

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

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

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

25 (2) The committee shall review all applications received pursuant
26 to section 26-21-107.5. Based on criteria established by the ~~commission~~
27 DIVISION, the committee shall recommend to the ~~commission~~ DIVISION

1 those applications to approve, with recommended grant amounts, and
2 those to disapprove.

3 (3) The ~~commission~~ DIVISION shall review and may follow the
4 recommendations of the committee for approval or disapproval of
5 applications for the grant program and for grant amounts. If the
6 ~~commission~~ DIVISION disagrees with the recommendations of the
7 committee, the ~~executive~~ director of the ~~department shall have~~ DIVISION
8 HAS final decision-making authority to approve or disapprove the
9 applications and to set the grant amounts.

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

12 **26-21-107.9. Rules.** THE BOARD MAY ADOPT RULES AS NECESSARY
13 TO IMPLEMENT THIS ARTICLE 21.

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

16 **26-21-108. Repeal of article - sunset review.** ~~(1) This article 21~~
17 ~~is repealed, effective September 1, 2031.~~

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

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

22 **24-90-105.5. Literacy support services for persons who are**
23 **blind or print-disabled - authority of state librarian - fund.** (5) The
24 general assembly recognizes the importance of privately operated reading
25 services to enable persons who are blind or print-disabled to gain access
26 to otherwise inaccessible print materials. The state librarian has the
27 authority to administer money in the reading services for the blind cash

1 fund, which FUND is created in the state treasury, PURSUANT TO SECTION
2 26-21-103.5 (1)(a)(IV), for the support of privately operated reading
3 services. The fund consists of any public or private money transferred,
4 appropriated, or otherwise credited to the fund. All money credited to the
5 fund and all interest earned on the investment of money in the fund is a
6 part of the fund and must not be transferred or credited to the general
7 fund or to any other fund except as directed by the general assembly
8 acting by bill. The general assembly shall make annual appropriations
9 from the reading services for the blind cash fund to the state librarian to
10 carry out the purposes of this section.

11 **SECTION 14.** In Colorado Revised Statutes, 29-11-102.7,
12 **amend (2)(a); and add (6) as follows:**

13 **29-11-102.7. Imposition of telecommunications relay service**
14 **surcharge on prepaid wireless - rules - definitions - repeal.**
15 **(2) (a) FOR RETAIL TRANSACTIONS MADE PRIOR TO JANUARY 1, 2026, a**
16 **prepaid wireless TRS charge of one-tenth of one percent of the price of**
17 **the retail transaction is hereby imposed on each retail transaction.**

18 **(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.**

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

21 **ARTICLE 17**

22 **Telephone Disability Access**

23 **40-17-101. Definitions.** AS USED IN THIS ARTICLE 17, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

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

27 (2) "CONSUMER" MEANS A PERSON WHO PURCHASES PREPAID

- 1 WIRELESS TELECOMMUNICATIONS SERVICE IN A RETAIL TRANSACTION.
- 2 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.
- 3 (4) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
4 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.
- 5 (5) "PREPAID TELEPHONE DISABILITY ACCESS CHARGE" OR
6 "CHARGE" MEANS THE CHARGE IMPOSED BY THE COMMUNICATION
7 SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE PURSUANT TO
8 SECTION 26-21-103.5 (1)(a)(III).
- 9 (6) "RETAIL TRANSACTION" MEANS THE PURCHASE OF PREPAID
10 WIRELESS TELECOMMUNICATIONS SERVICE FROM A SELLER FOR ANY
11 PURPOSE OTHER THAN RESALE.
- 12 (7) "SELLER" MEANS A PERSON THAT SELLS PREPAID WIRELESS
13 TELECOMMUNICATIONS SERVICES TO ANOTHER PERSON.
- 14 (8) "SERVICE SUPPLIER" MEANS A PERSON PROVIDING VOICE
15 TELEPHONE ACCESS LINES TO ANY SERVICE USER IN THE STATE, EITHER
16 DIRECTLY OR BY RESALE.
- 17 (9) "SERVICE USER" MEANS A PERSON THAT IS PROVIDED A VOICE
18 TELEPHONE ACCESS LINE IN THE STATE.
- 19 (10) "TELEPHONE ACCESS LINE" MEANS A VOICE GRADE CHANNEL
20 OR ITS EQUIVALENT ASSIGNED TO A RESIDENTIAL OR COMMERCIAL END
21 USER CUSTOMER BY A SERVICE SUPPLIER, REGARDLESS OF THE
22 TECHNOLOGY USED TO PROVIDE THE SERVICE.
- 23 (11) "TELEPHONE DISABILITY ACCESS SURCHARGE" OR
24 "SURCHARGE" MEANS THE SURCHARGE IMPOSED BY THE COMMUNICATION
25 SERVICES FOR PEOPLE WITH DISABILITIES ENTERPRISE PURSUANT TO
26 SECTION 26-21-103.5 (1)(a)(II).

27 **40-17-102. Telephone disability access surcharges collected for**

1 **the enterprise - Colorado telephone users with disabilities fund -**
2 **created - remittance - rules.** (1) THE COMMISSION SHALL COLLECT, ON

3 BEHALF OF THE COMMUNICATION SERVICES FOR PEOPLE WITH DISABILITIES
4 ENTERPRISE, THE TELEPHONE DISABILITY ACCESS SURCHARGE TO FUND
5 THE ENTERPRISE. THE COMMISSION SHALL COLLABORATE WITH THE
6 ENTERPRISE TO ESTABLISH THE AMOUNT OF THE SURCHARGE ONCE PER
7 YEAR.

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

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

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

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

25 (c) (I) THE STATE TREASURER SHALL CREDIT THE SURCHARGE
26 COLLECTIONS REMITTED TO THE COMMISSION PURSUANT TO SUBSECTION
27 (3)(a) OF THIS SECTION TO THE COLORADO DIVISION FOR THE DEAF, HARD

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

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

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

1 STATE.

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

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

7 **40-17-103. Service supplier obligations - penalties - audits -**
8 **rules.** (1) EVERY SERVICE SUPPLIER SHALL COLLECT THE TELEPHONE
9 DISABILITY ACCESS SURCHARGE FROM ITS SERVICE USERS.

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

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

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

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

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

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

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

1 AGAINST THE PROPERTY OF THE SERVICE SUPPLIER FOR UP TO ONE YEAR
2 AFTER THE EXPIRATION OF ANY SUCH PERIOD, UNLESS OTHERWISE
3 SPECIFICALLY PROVIDED IN THIS ARTICLE 17.

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

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

17 **40-17-104. Prepaid telephone disability access charges**
18 **collected for the enterprise - prepaid telephone disability access**
19 **charge cash fund - created - remittance - rules. (1) (a) ON AND AFTER**
20 **JANUARY 1, 2026, EVERY SELLER SHALL COLLECT, ON BEHALF OF THE**
21 **ENTERPRISE, THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE FROM**
22 **THE CONSUMER ON EACH RETAIL TRANSACTION OCCURRING IN THE STATE.**
23 **THE AMOUNT OF THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE**
24 **SHALL BE DISCLOSED TO THE CONSUMER ON AN INVOICE, A RECEIPT, OR**
25 **OTHER SIMILAR DOCUMENT THAT THE SELLER PROVIDES TO THE**
26 **CONSUMER. A SELLER SHALL ELECT TO EITHER DISCLOSE OR SEPARATELY**
27 **STATE THE CHARGE AND NOT CHANGE THE ELECTION WITHOUT THE**

1 WRITTEN CONSENT OF THE DEPARTMENT. THE SELLER IS DEEMED TO HAVE
2 COLLECTED THE CHARGE NOTWITHSTANDING THE SELLER'S FAILURE TO
3 SEPARATELY DISCLOSE OR STATE THE CHARGE ON AN INVOICE, A RECEIPT,
4 OR OTHER SIMILAR DOCUMENT THAT THE SELLER PROVIDES THE
5 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 AND
14 INTEREST UNDER PART 1 OF ARTICLE 26 OF TITLE 39 FOR FAILURE TO
15 COLLECT OR REMIT A 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 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL
20 COLLECT, ADMINISTER, AND ENFORCE THE PREPAID TELEPHONE DISABILITY
21 ACCESS CHARGE PURSUANT TO ARTICLE 21 OF TITLE 39. THE AUDIT AND
22 APPEAL PROCEDURES APPLICABLE TO THE STATE SALES TAX PURSUANT TO
23 PART 1 OF ARTICLE 26 OF TITLE 39 APPLY TO PREPAID TELEPHONE
24 DISABILITY ACCESS CHARGES.

25 (d) THE DEPARTMENT SHALL, BY RULE, ESTABLISH PROCEDURES BY
26 WHICH A SELLER MAY DOCUMENT THAT A TRANSACTION IS NOT A RETAIL
27 TRANSACTION, WHICH PROCEDURES MUST SUBSTANTIALLY COINCIDE WITH

1 THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR
2 PURPOSES OF THE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE
3 39.

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

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

22 (3) THE PREPAID TELEPHONE DISABILITY ACCESS CHARGE IS THE
23 ONLY DIRECT DISABILITY COMMUNICATION ACCESS FUNDING OBLIGATION
24 IMPOSED WITH RESPECT TO PREPAID WIRELESS TELECOMMUNICATIONS
25 SERVICE IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER CHARGE TO
26 FUND DISABILITY COMMUNICATION ACCESS IS IMPOSED BY THE STATE, ANY
27 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL

1 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,
2 PURCHASE, USE, OR PROVISION OF PREPAID WIRELESS
3 TELECOMMUNICATIONS SERVICE.

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

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

9 **2-3-1203. Sunset review of advisory committees - legislative**
10 **declaration - definition - repeal.** (22) (a) The following statutory
11 authorizations for the designated advisory committees will repeal on
12 September 1, 2031:

13 (VII) THE COLORADO COMMISSION FOR THE DEAF, HARD OF
14 HEARING, AND DEAFBLIND ADVISORY COUNCIL, AS SET FORTH IN SECTIONS
15 26-21-104 AND 26-21-105 (2) AND (5).

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

18 **6-1-707. Use of title or degree - deceptive trade practice.** (1) A
19 person engages in a deceptive trade practice when, in the course of the
20 person's business, vocation, or occupation, the person:

21 (e) (I) Claims to be a "sign language interpreter", "interpreter for
22 the deaf", "deaf interpreter", "ASL-English interpreter", "American sign
23 language (ASL) interpreter", "translator" for sign language,
24 "transliterator", "certified sign language interpreter", "certified translator"
25 for sign language, "certified interpreter for the deaf", "certified deaf
26 interpreter", "certified ASL-English interpreter", "certified American sign
27 language (ASL) interpreter", or "certified transliterator", unless the

1 person holds:

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

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

8 **13-71-137. Duties and responsibilities of auxiliary services**
9 **providers for jurors who are deaf, hard of hearing, or deafblind.**

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

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

1 verdict reached in the presence of a qualified auxiliary services provider,
2 during deliberation, is valid.

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

5 **13-90-202. Definitions.** As used in this part 2, unless the context
6 otherwise requires:

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

10 (6.3) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
11 HEARING, AND DEAFBLIND IN THE DEPARTMENT OF HUMAN SERVICES
12 CREATED IN SECTION 26-21-106 (1).

13 (7.3) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
14 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

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

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

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

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

3 **13-90-205. Coordination of auxiliary services requests.** (1) The
4 ~~commission~~ DIVISION, in collaboration with the judicial department, shall
5 establish, monitor, coordinate, and publish a list of available resources
6 regarding communication accessibility for ~~persons~~ INDIVIDUALS who are
7 deaf, hard of hearing, or deafblind, including qualified auxiliary services
8 providers, for use by an appointing authority pursuant to section
9 13-90-204. The list must contain the names of private individual
10 providers and agencies that secure qualified auxiliary services for
11 assignment.

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

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

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

24 **13-90-210. Compensation.** ~~Subject to the appropriations~~ PER THE
25 FUNDING available to the ~~commission~~ DIVISION, a qualified ~~interpreter or~~
26 ~~computer-aided realtime translation reporter~~ AUXILIARY SERVICES
27 PROVIDER provided pursuant to section 13-90-204 ~~shall be entitled to~~

1 ~~compensation for his or her~~ SHALL BE COMPENSATED FOR THEIR services,
2 including waiting time and necessary travel and subsistence expenses.
3 The amount of compensation shall be based on a fee schedule for
4 qualified ~~interpreters and~~ auxiliary services PROVIDERS established by the
5 ~~commission~~ DIVISION.

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

8 **18-1.3-701. Judgment of costs and fines - definitions.**

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

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

16 **24-1-120. Department of human services - creation.** (5) The
17 department of human services includes the following:

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

23 (g.7) THE DIVISION FOR THE DEAF, HARD OF HEARING, AND
24 DEAFBLIND CREATED IN ARTICLE 21 OF TITLE 26. THE DIVISION IS A **TYPE**
25 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
26 AND FUNCTIONS UNDER THE DEPARTMENT.

27 (h) The Colorado commission for the deaf, hard of hearing, and

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

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

7 **24-34-104. General assembly review of regulatory agencies**
8 **and functions for repeal, continuation, or reestablishment - legislative**
9 **declaration - repeal.** (32) (a) The following agencies, functions, or both,
10 are scheduled for repeal on September 1, 2031:

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

13 **SECTION 26.** In Colorado Revised Statutes, 39-21-102, **add** (9)
14 **as follows:**

15 **39-21-102. Scope.** (9) THIS ARTICLE 21 APPLIES TO THE FEE
16 IMPOSED PURSUANT TO SECTION 40-17-104, BUT ONLY TO THE EXTENT
17 THAT THIS ARTICLE 21 IS NOT INCONSISTENT WITH SECTION 40-17-104.

18 **SECTION 27.** In Colorado Revised Statutes, 29-2-201, **amend**
19 **as it will become effective July 1, 2025,** (8)(e) as follows:

20 **29-2-201. Definitions.** As used in this part 2, unless the context
21 otherwise requires:

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

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

25 **SECTION 28.** In Colorado Revised Statutes, 29-2-202, **amend**
26 **as it will become effective July 1, 2025,** (1)(b)(V) as follows:

27 **29-2-202. Applicability.** (1) Except as provided in sections

1 29-2-209 and 29-2-211, this part 2 applies to:

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

4 **SECTION 29.** In Colorado Revised Statutes, 39-21-119.5,
5 **amend** (2)(t) as follows:

6 **39-21-119.5. Mandatory electronic filing of returns -**
7 **mandatory electronic payment - penalty - waiver - definitions.**

8 (2) Except as provided in subsection (6) of this section, the executive
9 director may, as specified in subsection (3) of this section, require the
10 electronic filing of returns and require the payment of any tax or fee due
11 by electronic funds transfer for the following:

12 (t) Any prepaid ~~wireless telecommunications relay service~~
13 TELEPHONE DISABILITY ACCESS charge report required to be filed and
14 payment required to be made pursuant to ~~section 29-11-102.7(3)~~ SECTION
15 40-17-104; and

16 **SECTION 30.** In Colorado Revised Statutes, 40-2-112, **amend**
17 (1)(a) as follows:

18 **40-2-112. Computation of fees.** (1) (a) On or before June 1 of
19 each year, the executive director of the department of revenue shall
20 ascertain the aggregate amount of gross operating revenues of telephone
21 corporations and all other public utilities filing returns as provided in
22 section 40-2-111. Based on appropriations made by the general assembly,
23 the executive director of the department of regulatory agencies shall
24 specify, for the telecommunications utility fund, created in section
25 40-2-114 (1)(b)(I), and the public utilities commission fixed utility fund,
26 created in section 40-2-114 (1)(b)(II), the revenue needed to provide for
27 the direct and indirect costs of the supervision and regulation of telephone

1 corporations and all other public utilities under the jurisdiction of the
2 department of regulatory agencies, excluding the amount of money
3 provided as administrative support from the various telecommunications
4 programs administered by the commission, including the high cost
5 support mechanism, established in section 40-15-208; the 911 surcharge,
6 established in section 29-11-102.3; the 988 surcharge, established in
7 section 40-17.5-102; and the ~~telecommunications relay service~~
8 ~~TELEPHONE DISABILITY ACCESS~~ surcharge, established in ~~section~~
9 ~~40-17-103~~ SECTION 40-17-102.

10 == ==
11 **SECTION 31. Appropriation - adjustments to 2025 long bill.**

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

16 (2) To implement this act, the cash funds appropriation from the
17 Colorado telephone users with disabilities fund created in section
18 40-17-102 (3)(c)(II), C.R.S., made in the annual general appropriation act
19 for the 2025-26 state fiscal year to the department of regulatory agencies
20 for use by the public utilities commission is decreased as follows:

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

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

25 (3) To implement this act, the reappropriated funds appropriation
26 made in the annual general appropriation act for the 2025-26 state fiscal
27 year to the department of human services for use by the Colorado

1 commission for the deaf, hard of hearing, and deafblind is decreased by
2 \$3,413,703. This appropriation is from reappropriated funds received
3 from the department of regulatory agencies for use by the public utilities
4 commission for the Colorado commission for the deaf, hard of hearing,
5 and deafblind cash fund.

6 **SECTION 32. Appropriation.** (1) For the 2025-26 state fiscal
7 year, \$250,000 is appropriated to the department of regulatory agencies
8 for use by the public utilities commission. This appropriation is from the
9 Colorado telephone users with disabilities fund created in section
10 40-17-102 (3)(c)(II), C.R.S. To implement this act, the commission may
11 use this appropriation for transfer to the reading services for the blind
12 cash fund.

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

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

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

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

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

8 (5) For the 2025-26 state fiscal year, \$21,467 is appropriated to
9 the department of revenue. This appropriation is from the prepaid
10 wireless trust cash fund created in section 40-17-104 (2)(e)(II), C.R.S. To
11 implement this act, the department may use this appropriation as follows:

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

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

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

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

18 (6) For the 2025-26 state fiscal year, \$3,674 is appropriated to the
19 department of personnel. This appropriation is from reappropriated funds
20 received from the department of revenue under subsection (5)(d) of this
21 section. To implement this act, the department of personnel may use this
22 appropriation to provide document management services for the
23 department of revenue.

24 **SECTION 33. Effective date.** (1) Except as otherwise provided
25 in this section, this act takes effect upon passage.

26 (2) Sections 39-21-102, 29-2-201, 29-2-202, and 39-21-119.5,
27 Colorado Revised Statutes, as amended in sections 26, 27, 28, and 29 of

1 this act, respectively, take effect January 1, 2026.

2 **SECTION 34. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.