

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0129.02 Jennifer Berman x3286

HOUSE BILL 25-1154

HOUSE SPONSORSHIP

Brown and Froelich,

SENATE SPONSORSHIP

Jodeh,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

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

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

HOUSE
Amended 2nd Reading
March 10, 2025

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

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

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

Sections 15 and 18 through 27 make conforming amendments.

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

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

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

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

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

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

1 PROVISION OF STATE AND LOCAL GOVERNMENT SERVICES FOR INDIVIDUALS
2 WHO ARE DEAF, HARD OF HEARING, AND DEAFBLIND, WHILE MAKING
3 GOVERNMENT MORE EFFICIENT;

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

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

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

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

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

25 (A) ESTABLISHING AND COORDINATING A COMMUNICATIONS
26 TECHNOLOGY PROGRAM TO OBTAIN AND DISTRIBUTE INTERACTIVE
27 TELECOMMUNICATIONS AND OTHER COMMUNICATIONS TECHNOLOGY

1 EQUIPMENT NEEDED BY INDIVIDUALS WHO HAVE COMMUNICATION NEEDS
2 RELATED TO THEIR DISABILITIES;

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

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

9 (D) APPROVING SIGN LANGUAGE INTERPRETER CERTIFICATIONS AS
10 VALID AND RELIABLE IN THE STATE, THEREBY ENABLING APPROPRIATE
11 COMMUNICATION ACCESS SERVICES IN RELATION TO THE WORKFORCE AND
12 IN COMMERCE; AND

13 (II) COORDINATING AND SUPPORTING THE SERVICES AND
14 RESOURCES DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION. THE
15 ENTERPRISE AND DIVISION HELP FACILITATE THE ENGAGEMENT OF
16 INDIVIDUALS WHO ARE DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
17 HAVE SPEECH OR OTHER COMMUNICATION-RELATED DISABILITIES IN THE
18 WORKFORCE AND IN COMMERCE, THUS PROVIDING BENEFITS TO COLORADO
19 BUSINESSES AND EMPLOYERS THAT BENEFIT FROM THE ECONOMIC
20 DEVELOPMENT STIMULATED BY THE WORKFORCE AND COMMERCIAL
21 ENGAGEMENT.

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

26 (c) CONSISTENT WITH THE DETERMINATION OF THE COLORADO
27 SUPREME COURT IN *NICHOLL V. E-470 PUBLIC HIGHWAY AUTHORITY*, 896

1 P.2D 859 (COLO. 1995), THAT THE POWER TO IMPOSE TAXES IS
2 INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE
3 X OF THE STATE CONSTITUTION, THE GENERAL ASSEMBLY CONCLUDES
4 THAT THE REVENUE COLLECTED BY THE ENTERPRISE IS GENERATED BY
5 FEES, NOT TAXES, BECAUSE THE MONEY CREDITED TO THE ENTERPRISE IS:

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

9 (II) COLLECTED AT RATES THAT ARE REASONABLY CALCULATED
10 BASED ON THE COSTS OF THE SERVICES AND RESOURCES PROVIDED BY THE
11 ENTERPRISE; AND

12 (III) NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION
13 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6
14 (6)(c), AND DOES NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR
15 SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE
16 CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN
17 SECTION 24-77-103.6 (6)(b), SO LONG AS THE ENTERPRISE QUALIFIES AS
18 AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE
19 CONSTITUTION;

20 (d) NO OTHER ENTERPRISE CREATED SIMULTANEOUSLY OR WITHIN
21 THE PRECEDING FIVE YEARS SERVES PRIMARILY THE SAME PURPOSE AS THE
22 ENTERPRISE, AND THE ENTERPRISE WILL GENERATE REVENUE FROM FEES
23 AND SURCHARGES OF LESS THAN ONE HUNDRED MILLION DOLLARS TOTAL
24 IN ITS FIRST FIVE FISCAL YEARS. ACCORDINGLY, THE CREATION OF THE
25 ENTERPRISE DOES NOT REQUIRE VOTER APPROVAL PURSUANT TO SECTION
26 24-77-108.

27 (e) FOR PURPOSES OF THE LIMIT SET FORTH IN SECTION 24-77-108,

1 THE START DATE OF THE ENTERPRISE IS IN FISCAL YEAR 2024-25.

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

5 **26-21-103. Definitions.** As used in this article 21, unless the
6 context otherwise requires:

7 (1) ~~"Advisory council" means the Colorado deafblind advisory~~
8 ~~council appointed by the commission in accordance with section~~
9 ~~26-21-105 (2)(f).~~

10 (2.3) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE
11 ENTERPRISE APPOINTED PURSUANT TO SECTION 26-21-103.5 (2).

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

15 (3.5) "COMMUNICATION ACCESS REALTIME TRANSLATION" OR
16 "CART" HAS THE SAME MEANING AS "COMMUNICATION ACCESS REALTIME
17 TRANSLATION (CART) REPORTER", AS SET FORTH IN SECTION 13-90-202
18 (5).

19 (4.4) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
20 HEARING, AND DEAFBLIND CREATED IN SECTION 26-21-106 AND CONSISTS
21 OF STAFF OF THE STATE DEPARTMENT.

22 (4.5) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
23 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

24 (4.6) "FUND" MEANS THE COLORADO DIVISION FOR THE DEAF,
25 HARD OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION
26 26-21-107.

27 (8.5) "PREPAID TELEPHONE DISABILITY ACCESS CHARGE" OR

1 "CHARGE" MEANS THE CHARGE IMPOSED BY THE ENTERPRISE PURSUANT
2 TO SECTION 26-21-103.5 (1)(a)(III).

3 (11) "TELECOMMUNICATIONS RELAY SERVICES" MEANS ANY
4 TELECOMMUNICATIONS SERVICES THROUGH A THIRD PARTY THAT ALLOW
5 AN INDIVIDUAL WHO IS DEAF, HARD OF HEARING, OR DEAFBLIND OR WHO
6 HAS A SPEECH DISABILITY TO COMMUNICATE BY ANY COMPATIBLE
7 TELECOMMUNICATIONS SERVICE WITH ONE OR MORE INDIVIDUALS IN A
8 MANNER THAT IS FUNCTIONALLY EQUIVALENT TO THE ABILITY OF AN
9 INDIVIDUAL WHO DOES NOT HAVE A HEARING OR SPEECH DISABILITY.

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

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

15 **26-21-103.5. Communication services for people with**
16 **disabilities enterprise - created - board of directors - membership -**
17 **fees imposed - repeal.** (1) (a) THE COMMUNICATION SERVICES FOR
18 PEOPLE WITH DISABILITIES ENTERPRISE IS CREATED IN THE STATE
19 DEPARTMENT FOR THE BUSINESS PURPOSES OF:

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

24 (II) IMPOSING A TELEPHONE DISABILITY ACCESS SURCHARGE ON
25 SERVICE USERS, AS DEFINED IN SECTION 40-17-101 (11), IN
26 COLLABORATION WITH THE PUBLIC UTILITIES COMMISSION, IN AN AMOUNT
27 NOT TO EXCEED FIFTEEN CENTS PER MONTH PER TELEPHONE ACCESS LINE,

1 AS DEFINED IN SECTION 40-17-101 (10). THE AMOUNT OF THE SURCHARGE
2 SHALL BE REVIEWED AND MAY BE ADJUSTED ONCE PER YEAR. THE
3 AMOUNT OF THE SURCHARGE, IN COMBINATION WITH THE PREPAID
4 TELEPHONE DISABILITY ACCESS CHARGE, SHALL BE SET AT A RATE
5 SUFFICIENT TO FUND THE ACTIVITIES DESCRIBED IN THIS SUBSECTION
6 (1)(a). THE AMOUNT OF THE SURCHARGE IMPOSED PER TELEPHONE ACCESS
7 LINE MUST BE UNIFORM, REGARDLESS OF THE TECHNOLOGY USED TO
8 PROVIDE THE TELEPHONE ACCESS LINE.

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

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

27 (b) THE ENTERPRISE CONSTITUTES AN ENTERPRISE FOR PURPOSES

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

8 (c) THE BOARD, WITH THE ADVICE OF THE DIVISION AND THE
9 COMMISSION, SHALL ADMINISTER THE ENTERPRISE IN ACCORDANCE WITH
10 THIS SECTION.

11 (d) THE ENTERPRISE MAY ISSUE REVENUE BONDS TO PAY FOR THE
12 EXPENSES OF THE ENTERPRISE, WHICH BONDS ARE SECURED BY REVENUE
13 OF THE ENTERPRISE.

14 (e) THE ENTERPRISE SHALL NOT INCREASE THE AMOUNTS OF THE
15 TELEPHONE DISABILITY ACCESS SURCHARGE OR THE PREPAID TELEPHONE
16 DISABILITY ACCESS CHARGE IN AN AMOUNT THAT CAUSES THE
17 CUMULATIVELY COLLECTED FEES TO EXCEED ONE HUNDRED MILLION
18 DOLLARS IN THE FIRST FIVE YEARS OF THE ENTERPRISE'S EXISTENCE.

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

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

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

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

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

27 **SECTION 5.** In Colorado Revised Statutes, 26-21-104, **amend**

1 (1); and **add** (5) as follows:

2 **26-21-104. Commission created - appointments - repeal.**

3 (1) The Colorado commission for the deaf, hard of hearing, and
4 deafblind ADVISORY COUNCIL is created in the STATE department. of
5 human services. The commission is a **type 2** entity, as defined in section
6 ~~24-1-105~~, and exercises its powers and performs its duties and functions
7 under the STATE department. ~~of human services.~~ THE DIVISION AND
8 COMMISSION SHALL ADVISE THE ENTERPRISE AND STATE AGENCIES
9 REGARDING THE PROVISION OF SERVICES AND RESOURCES FOR THE DEAF,
10 HARD-OF-HEARING, AND DEAFBLIND COMMUNITY.

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

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

16 **26-21-105. Appointment of division director - division**
17 **procedures - commission's advisory role - repeal.** (1) The executive
18 director ~~of the department of human services~~ or the executive director's
19 designee shall appoint a director of the ~~commission~~ DIVISION. The
20 ~~executive director of the department~~ COMMISSION shall provide comment
21 and input ~~to the commission~~ on the hiring of the DIVISION director.

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

24 ~~(H) The advisory council shall advise the commission, state and~~
25 ~~local governments, and other relevant entities on how to increase~~
26 ~~competitive integrated employment as defined in section 8-84-301,~~
27 ~~enlarge economic opportunities, enhance independence and~~

1 self-sufficiency, and improve services for deafblind persons.

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

9 (A) One member who is deaf and blind;

10 (B) One member who is deaf and low vision;

11 (C) One member who is hard of hearing and blind;

12 (D) One member who is hard of hearing and low vision;

13 (E) One member who is latent deafblind;

14 (F) One member who is a professional working with the deafblind
15 community; and

16 (G) One member who is a parent of a deafblind child.

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

19 (5) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5)
20 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2031. BEFORE THE REPEAL,
21 SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (5) ARE
22 SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

23 **SECTION 7.** In Colorado Revised Statutes, 26-21-106, **amend**
24 (1) introductory portion, (1)(d), (1)(e) introductory portion, (1)(e)(I),
25 (1)(e)(II), (1)(f), (2), (3), (4) introductory portion, (4)(g)(II) introductory
26 portion, (4)(g)(II)(B), (6), (7) introductory portion, (7)(a), (7)(b), (8)
27 introductory portion, (8.5), (9)(a) introductory portion, (9)(a)(VIII),

1 (9)(b), and (9)(c)(I); **repeal** (9)(a)(IX); and **add** (1)(g), (1.5), and (1.7) as
2 follows:

3 **26-21-106. Division for the deaf, hard of hearing, and**
4 **deafblind - creation - powers, functions, and duties - programs -**
5 **report - rules - definitions.** (1) THE DIVISION FOR THE DEAF, HARD OF
6 HEARING, AND DEAFBLIND IS CREATED IN THE STATE DEPARTMENT. The
7 powers, functions, and duties of the ~~commission~~ DIVISION include:

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

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

25 (I) Whether any existing statutory or administrative provisions
26 impede the ability of the ~~commission~~ DIVISION to act as a statewide
27 coordinating agency advocating for INDIVIDUALS WHO ARE deaf, hard of

1 hearing, and OR deafblind individuals in Colorado; AND

2 (II) Any methods, programs, or policies that may improve

3 communication AND ENVIRONMENTAL accessibility and quality of existing

4 services, promote or deliver necessary new services, and assist state

5 agencies in the delivery of services to deaf, hard-of-hearing, and

6 deafblind INDIVIDUALS;

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

8 ~~interpreters~~ INTERPRETER'S CERTIFICATIONS AS VALID AND RELIABLE in

9 accordance with section 6-1-707 (1)(e)(I)(B); AND

10 (g) COORDINATING THE PROVISION OF A TELECOMMUNICATIONS

11 RELAY SERVICE PROGRAM FOR INDIVIDUALS IN THE STATE WHO ARE DEAF,

12 HARD OF HEARING, OR DEAFBLIND OR SPEECH-DISABLED. IN DOING SO,

13 THIS SERVICE SHALL:

14 (I) CONFORM WITH SECTION 401 OF THE FEDERAL "AMERICANS

15 WITH DISABILITIES ACT OF 1990", 47 U.S.C. SEC. 225, INCLUDING THE

16 PROVISION FOR STATE APPLICATION TO THE FEDERAL COMMUNICATIONS

17 COMMISSION FOR CERTIFICATION;

18 (II) MEET OR EXCEED ALL OPERATIONAL, TECHNICAL, AND

19 FUNCTIONAL MINIMUM STANDARDS IN FEDERAL COMMUNICATIONS

20 COMMISSION REGULATIONS GOVERNING TELECOMMUNICATION RELAY

21 SERVICES UNDER 47 CFR 64 SUBPART F AND 47 CFR 9 SUBPART E.

22 (1.5) (a) ON AND AFTER JUNE 30, 2025, THE RIGHTS, POWERS,

23 DUTIES, AND FUNCTIONS REGARDING THE TELECOMMUNICATIONS RELAY

24 SERVICES VESTED IN THE PUBLIC UTILITIES COMMISSION PRIOR TO THAT

25 DATE ARE TRANSFERRED FROM THE PUBLIC UTILITIES COMMISSION TO THE

26 DIVISION FOR THE DIVISION TO PERFORM THE FUNCTIONS DESCRIBED IN

27 SUBSECTION (1)(g) OF THIS SECTION.

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

6 (II) ANY CONTRACT ENTERED INTO BY THE PUBLIC UTILITIES
7 COMMISSION PRIOR TO JUNE 30, 2025, IN CONNECTION WITH THE
8 FUNCTIONS TRANSFERRED TO THE DIVISION PURSUANT TO THIS
9 SUBSECTION (1.5) IS VALIDATED, WITH THE DIVISION SUCCEEDING TO ALL
10 RIGHTS AND OBLIGATIONS UNDER THE CONTRACT.

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

15 (1.7) PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE
16 DIVISION DIRECTOR AND THE BOARD AND WITHOUT REGARD TO THE
17 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, THE DIVISION
18 SHALL PROVIDE ADMINISTRATIVE, PROFESSIONAL, AND TECHNICAL STAFF
19 TO ASSIST THE BOARD WITH THE CONDUCT OF THE AFFAIRS OF THE
20 ENTERPRISE.

21 (2) The ~~commission~~ DIVISION shall consider the findings of any
22 study authorized under this section and may approve, disapprove, or
23 amend the findings. After consideration of the findings, the ~~commission~~
24 DIVISION shall submit a report with recommendations, including proposed
25 legislation, if necessary, to the governor and to the general assembly. The
26 ~~commission~~ DIVISION shall submit the report annually, notwithstanding
27 section 24-1-136 (11)(a)(I), and may combine the report with, or include

1 the report as a part of, the annual report prepared under subsection (1)(e)
2 of this section.

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

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

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

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

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

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

1 (a) Provide resources to DEAF, HARD-OF-HEARING, AND DEAFBLIND
2 individuals who have encountered barriers to obtaining necessary
3 services;

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

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

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

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

25 (II) Open channels of communication between the ~~child~~
26 INDIVIDUAL and others;

27 (III) Facilitate the development or use of receptive and expressive

1 communication skills by the ~~child~~ INDIVIDUAL;

2 (IV) Develop and maintain a trusting, interactive relationship with

3 the ~~child~~ INDIVIDUAL that promotes social and emotional well-being; and

4 (V) Provide the ~~child~~ INDIVIDUAL with opportunities for learning

5 and development in the community and at home.

6 (b) The ~~commission~~ DIVISION shall hire ~~an~~ A FAMILY AND

7 COMMUNITY intervener program manager to direct services for ~~children~~

8 INDIVIDUALS who are deafblind WITH ADDITIONAL COGNITIVE

9 DISABILITIES, PHYSICAL DISABILITIES, OR BOTH and ensure that an

10 intervener:

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

12 (II) Instructs and supports the ~~child~~ INDIVIDUAL in skills related

13 to community involvement;

14 (III) Transports the ~~child~~ INDIVIDUAL to gain access to community

15 services and resources;

16 (IV) Provides communication and information to the ~~child~~

17 INDIVIDUAL concerning the ~~child's~~ INDIVIDUAL'S environment that

18 otherwise would be available through vision and hearing;

19 (V) Uses interpersonal communication, including sign language,

20 speech, tangible communication symbols, gestures, calendars, and

21 augmentative communication devices;

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

23 INDIVIDUAL by learning the ~~child's~~ INDIVIDUAL'S specific communication

24 system; and

25 (VII) Forms a working alliance with the deafblind ~~child's~~

26 INDIVIDUAL'S family members, neighbors, community organizations, and

27 professionals with whom the ~~child~~ INDIVIDUAL has contact.

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

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

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

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

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

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

23 ~~(IX) Creating an advisory council to make recommendations to~~
24 ~~the commission about the provision of auxiliary services in rural areas;~~
25 ~~and~~

26 (b) The ~~executive director~~ BOARD shall ~~promulgate~~ ADOPT rules
27 in consultation with, or as proposed by, the ~~commission~~ DIVISION, WITH

1 INPUT FROM THE COMMISSION and the deaf, hard of hearing, and deafblind
2 community, regarding implementation of this subsection (9). The rules
3 must define the term "rural area".

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

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

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

22 **SECTION 9.** In Colorado Revised Statutes, 26-21-107.5, **amend**
23 (1), (2), and (7) as follows:

24 **26-21-107.5. Colorado division for the deaf, hard of hearing,**
25 **and deafblind grant program - creation - standards - applications -**
26 **definition.** (1) The Colorado ~~commission~~ DIVISION for the deaf, hard of
27 hearing, and deafblind grant program is ~~hereby~~ established to provide

1 funding for entities to address the needs of Colorado's INDIVIDUALS WHO
2 ARE deaf, ~~hard-of-hearing, or~~ HARD OF HEARING, AND deafblind.
3 individuals.

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

8 (b) The ~~commission~~ DIVISION shall pay the grants awarded
9 through the grant program from money appropriated by the general
10 assembly.

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

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

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

19 **26-21-107.7. Colorado division for the deaf, hard of hearing,**
20 **and deafblind grant program committee - creation - members - duties**
21 **- reimbursement for expenses.** (1) (a.5) (I) There is hereby created the
22 Colorado ~~commission~~ DIVISION for the deaf, hard of hearing, and
23 deafblind grant program committee, referred to in this section as the
24 "committee", consisting of five members, for the purpose of
25 recommending to the ~~commission~~ DIVISION approval or disapproval of
26 applications for the grant program.

27 (II) The ~~commission~~ DIVISION shall appoint four members to the

1 committee as follows:

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

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

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

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

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

26 (3) The ~~commission~~ DIVISION shall review and may follow the
27 recommendations of the committee for approval or disapproval of

1 applications for the grant program and for grant amounts. If the
2 ~~commission~~ DIVISION disagrees with the recommendations of the
3 committee, the ~~executive~~ director of the ~~department shall have~~ DIVISION
4 HAS final decision-making authority to approve or disapprove the
5 applications and to set the grant amounts.

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

8 **26-21-107.9. Rules.** THE BOARD MAY ADOPT RULES AS NECESSARY
9 TO IMPLEMENT THIS ARTICLE 21.

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

12 **26-21-108. Repeal of article - sunset review.** ~~(1) This article 21~~
13 ~~is repealed, effective September 1, 2031.~~

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

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

18 **24-90-105.5. Literacy support services for persons who are**
19 **blind or print-disabled - authority of state librarian - fund.** (5) The
20 general assembly recognizes the importance of privately operated reading
21 services to enable persons who are blind or print-disabled to gain access
22 to otherwise inaccessible print materials. The state librarian has the
23 authority to administer money in the reading services for the blind cash
24 fund, which FUND is created in the state treasury, PURSUANT TO SECTION
25 26-21-103.5 (1)(a)(IV), for the support of privately operated reading
26 services. The fund consists of any public or private money transferred,
27 appropriated, or otherwise credited to the fund. All money credited to the

1 fund and all interest earned on the investment of money in the fund is a
2 part of the fund and must not be transferred or credited to the general
3 fund or to any other fund except as directed by the general assembly
4 acting by bill. The general assembly shall make annual appropriations
5 from the reading services for the blind cash fund to the state librarian to
6 carry out the purposes of this section.

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

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

10 **ARTICLE 17**

11 **Telephone Disability Access**

12 **40-17-101. Definitions.** AS USED IN THIS ARTICLE 17, UNLESS THE
13 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (3) (a) THE SERVICE SUPPLIER SHALL REMIT THE COLLECTED
4 SURCHARGES TO THE COMMISSION ON A MONTHLY BASIS IN A MANNER
5 ESTABLISHED BY THE COMMISSION. THE COMMISSION SHALL ESTABLISH
6 REMITTANCE PROCEDURES BY RULE. A SERVICE SUPPLIER IS SUBJECT TO
7 THE PENALTIES AND PROCEDURES SET FORTH IN SECTION 40-17-103 FOR
8 THE FAILURE TO COLLECT OR CORRECTLY REMIT A SURCHARGE IN
9 ACCORDANCE WITH THIS SECTION.

10 (b) A SERVICE SUPPLIER MAY DEDUCT AND RETAIN ONE PERCENT
11 OF THE SURCHARGES THAT ARE COLLECTED BY THE SERVICE SUPPLIER
12 FROM ITS SERVICE USERS.

13 (c) (I) THE STATE TREASURER SHALL CREDIT THE SURCHARGE
14 COLLECTIONS REMITTED TO THE COMMISSION PURSUANT TO SUBSECTION
15 (3)(a) OF THIS SECTION TO THE COLORADO DIVISION FOR THE DEAF, HARD
16 OF HEARING, AND DEAFBLIND CASH FUND CREATED IN SECTION 26-21-107
17 (1). ANY SURCHARGE TRANSMITTED TO THE STATE TREASURER THAT IS
18 COLLECTED ON BEHALF OF THE ENTERPRISE IS EXCLUDED FROM STATE
19 FISCAL YEAR SPENDING.

20 (II) THE COMMISSION MAY RETAIN UP TO FOUR PERCENT OF THE
21 COLLECTED SURCHARGES NECESSARY TO REIMBURSE THE COMMISSION FOR
22 ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE COLLECTION AND
23 REMITTANCE OF SURCHARGES FOR THE ENTERPRISE, INCLUDING COSTS
24 RELATED TO CONDUCTING AUDITS OF SERVICE SUPPLIERS IN ACCORDANCE
25 WITH SECTION 40-17-103.

26 (4) THE SURCHARGE IMPOSED BY THE ENTERPRISE PURSUANT TO
27 SECTION 26-21-103.5 (1)(a)(II) IS THE ONLY DIRECT COMMUNICATION

1 SERVICES FOR PEOPLE WITH DISABILITIES FUNDING OBLIGATION IMPOSED
2 UPON SERVICE USERS IN THE STATE. NO TAX, FEE, SURCHARGE, OR OTHER
3 CHARGE TO FUND THE ENTERPRISE IS IMPOSED BY THE STATE, ANY
4 POLITICAL SUBDIVISION OF THE STATE, OR ANY INTERGOVERNMENTAL
5 AGENCY UPON A SELLER OR CONSUMER WITH RESPECT TO THE SALE,
6 PURCHASE, USE, OR PROVISION OF A TELEPHONE ACCESS LINE IN THE
7 STATE.

8 (5) THIS SECTION DOES NOT APPLY TO PREPAID WIRELESS
9 TELECOMMUNICATIONS SERVICES.

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

13 **40-17-103. Service supplier obligations - penalties - audits -**
14 **rules.** (1) EVERY SERVICE SUPPLIER SHALL COLLECT THE TELEPHONE
15 DISABILITY ACCESS SURCHARGE FROM ITS SERVICE USERS.

16 (2) A SERVICE SUPPLIER IS LIABLE ONLY FOR THE SURCHARGE
17 COLLECTED PURSUANT TO THIS ARTICLE 17 UNTIL THE SURCHARGE IS
18 REMITTED TO THE COMMISSION. THE AMOUNT REMITTED BY THE SERVICE
19 SUPPLIER MUST REFLECT THE ACTUAL COLLECTIONS BASED ON THE
20 ACTUAL TELEPHONE ACCESS LINE BILLED.

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

24 (4) (a) THE SERVICE SUPPLIER SHALL MAINTAIN A RECORD OF THE
25 AMOUNT OF EACH SURCHARGE COLLECTED AND REMITTED BY THE SERVICE
26 USER ADDRESS FOR A PERIOD OF THREE YEARS AFTER THE TIME THE
27 CHARGE IS COLLECTED AND REMITTED.

1 (b) IF A SERVICE SUPPLIER FAILS TO TIMELY FILE A REPORT AND
2 REMIT THE SURCHARGE AS REQUIRED BY THIS SECTION, OR IF A SERVICE
3 SUPPLIER FILES AN INCORRECT REPORT OR FAILS TO REMIT THE CORRECT
4 AMOUNT, THE COMMISSION SHALL ESTIMATE THE AMOUNT OF THE
5 REMITTANCE DUE FOR THE PERIOD OR PERIODS FOR WHICH THE SERVICE
6 SUPPLIER IS DELINQUENT. THE COMMISSION SHALL MAKE THE ESTIMATE
7 BASED ON THE INFORMATION AVAILABLE. THE COMMISSION SHALL
8 COMPUTE AND ASSESS A PENALTY EQUAL TO FIFTEEN PERCENT OF THE
9 ESTIMATE OF THE DELINQUENT AMOUNT AND SHALL ASSESS INTEREST ON
10 THE DELINQUENT CHARGES AT THE RATE OF ONE PERCENT EACH MONTH
11 FROM THE DATE WHEN DUE UNTIL THE DATE PAID.

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

25 (d) IF, BEFORE THE EXPIRATION OF THE TIME PRESCRIBED FOR THE
26 ASSESSMENT OF DELINQUENT AMOUNTS IN SUBSECTION (4)(c) OF THIS
27 SECTION, THE COMMISSION AND THE SERVICE SUPPLIER CONSENT IN

1 WRITING TO AN ASSESSMENT AFTER SUCH TIME, THE AMOUNT
2 CALCULATED IN ACCORDANCE WITH SUBSECTION (4)(b) OF THIS SECTION
3 MAY BE ASSESSED AT ANY TIME PRIOR TO THE EXPIRATION OF THE PERIOD
4 AGREED UPON. THE PERIOD AGREED UPON MAY BE EXTENDED BY
5 SUBSEQUENT AGREEMENTS IN WRITING MADE BEFORE THE EXPIRATION OF
6 THE PERIOD PREVIOUSLY AGREED UPON. THE COMMISSION MAY FILE A LIEN
7 AGAINST THE PROPERTY OF THE SERVICE SUPPLIER FOR UP TO ONE YEAR
8 AFTER THE EXPIRATION OF ANY SUCH PERIOD, UNLESS OTHERWISE
9 SPECIFICALLY PROVIDED IN THIS ARTICLE 17.

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

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

23 **40-17-104. Prepaid wireless telephone disability access charges**
24 **collected for the enterprise - remittance - rules.** (1) (a) A SELLER
25 SHALL COLLECT, ON BEHALF OF THE ENTERPRISE, THE PREPAID TELEPHONE
26 DISABILITY ACCESS CHARGE FROM THE CONSUMER ON EACH RETAIL
27 TRANSACTION OCCURRING IN THE STATE. THE AMOUNT OF THE PREPAID

1 TELEPHONE DISABILITY ACCESS CHARGE SHALL BE DISCLOSED TO THE
2 CONSUMER ON AN INVOICE, A RECEIPT, OR OTHER SIMILAR DOCUMENT
3 THAT THE SELLER PROVIDES TO THE CONSUMER. A SELLER SHALL ELECT
4 TO EITHER DISCLOSE OR SEPARATELY STATE THE CHARGE AND NOT
5 CHANGE THE ELECTION WITHOUT THE WRITTEN CONSENT OF THE
6 DEPARTMENT. THE SELLER IS DEEMED TO HAVE COLLECTED THE CHARGE
7 NOTWITHSTANDING THE SELLER'S FAILURE TO SEPARATELY DISCLOSE OR
8 STATE THE CHARGE ON AN INVOICE, A RECEIPT, OR OTHER SIMILAR
9 DOCUMENT THAT THE SELLER PROVIDES THE CONSUMER.

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

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

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

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

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

26 (V) IF SUBSECTIONS (1)(b)(I) TO (1)(b)(IV) OF THIS SECTION DO
27 NOT APPLY, THE CONSUMER'S MOBILE TELEPHONE NUMBER IS ASSOCIATED

1 WITH A COLORADO LOCATION.

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

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

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

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

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

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

1 TRANSACTION, WHICH PROCEDURES MUST SUBSTANTIALLY COINCIDE WITH
2 THE PROCEDURES FOR DOCUMENTING THAT A SALE WAS WHOLESALE FOR
3 PURPOSES OF THE SALES TAX PURSUANT TO PART 1 OF ARTICLE 26 OF TITLE
4 39.

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

10 (II) THE DEPARTMENT MAY RETAIN UP TO THREE PERCENT OF THE
11 COLLECTED CHARGES NECESSARY TO REIMBURSE THE DEPARTMENT FOR
12 ITS DIRECT COSTS OF ADMINISTERING THE COLLECTION AND REMITTANCE
13 OF PREPAID TELEPHONE DISABILITY ACCESS CHARGES.

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

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

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

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

5 (VII) THE COLORADO COMMISSION FOR THE DEAF, HARD OF
6 HEARING, AND DEAFBLIND ADVISORY COUNCIL, AS SET FORTH IN SECTIONS
7 26-21-104 AND 26-21-105 (2) AND (5).

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

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

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

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

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

27 **13-71-137. Duties and responsibilities of auxiliary services**

1 **providers for jurors who are deaf, hard of hearing, or deafblind.**

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

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

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

24 **13-90-202. Definitions.** As used in this part 2, unless the context
25 otherwise requires:

26 (4) ~~"Commission" means the Colorado commission for the deaf,~~
27 ~~hard of hearing, and deafblind in the department of human services~~

1 ~~created in section 26-21-104.~~

2 (6.3) "DIVISION" MEANS THE DIVISION FOR THE DEAF, HARD OF
3 HEARING, AND DEAFBLIND IN THE DEPARTMENT OF HUMAN SERVICES
4 CREATED IN SECTION 26-21-106 (1).

5 (7.3) "ENTERPRISE" MEANS THE COMMUNICATION SERVICES FOR
6 PEOPLE WITH DISABILITIES ENTERPRISE CREATED IN SECTION 26-21-103.5.

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

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

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

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

22 **13-90-205. Coordination of auxiliary services requests.** (1) The
23 ~~commission~~ DIVISION, in collaboration with the judicial department, shall
24 establish, monitor, coordinate, and publish a list of available resources
25 regarding communication accessibility for ~~persons~~ INDIVIDUALS who are
26 deaf, hard of hearing, or deafblind, including qualified auxiliary services
27 providers, for use by an appointing authority pursuant to section

1 13-90-204. The list must contain the names of private individual
2 providers and agencies that secure qualified auxiliary services for
3 assignment.

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

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

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

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

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

27 **18-1.3-701. Judgment of costs and fines - definitions.**

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

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

8 **24-1-120. Department of human services - creation.** (5) The
9 department of human services includes the following:

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

15 (g.7) THE DIVISION FOR THE DEAF, HARD OF HEARING, AND
16 DEAFBLIND CREATED IN ARTICLE 21 OF TITLE 26. THE DIVISION IS A **TYPE**
17 **2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS POWERS
18 AND FUNCTIONS UNDER THE DEPARTMENT.

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

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

26 **24-34-104. General assembly review of regulatory agencies**
27 **and functions for repeal, continuation, or reestablishment - legislative**

1 **declaration - repeal.** (32) (a) The following agencies, functions, or both,
2 are scheduled for repeal on September 1, 2031:

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

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

7 **29-2-201. Definitions.** As used in this part 2, unless the context
8 otherwise requires:

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

10 (e) Prepaid wireless TRS charge imposed pursuant to ~~section~~
11 ~~29-11-102.7~~ SECTION 40-17-104; and

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

14 **29-2-202. Applicability.** (1) Except as provided in sections
15 29-2-209 and 29-2-211, this part 2 applies to:

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

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

20 **39-21-119.5. Mandatory electronic filing of returns -**
21 **mandatory electronic payment - penalty - waiver - definitions.**

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

26 (t) Any prepaid wireless telecommunications relay service charge
27 report required to be filed and payment required to be made pursuant to

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

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

4 **40-2-112. Computation of fees.** (1) (a) On or before June 1 of
5 each year, the executive director of the department of revenue shall
6 ascertain the aggregate amount of gross operating revenues of telephone
7 corporations and all other public utilities filing returns as provided in
8 section 40-2-111. Based on appropriations made by the general assembly,
9 the executive director of the department of regulatory agencies shall
10 specify, for the telecommunications utility fund, created in section
11 40-2-114 (1)(b)(I), and the public utilities commission fixed utility fund,
12 created in section 40-2-114 (1)(b)(II), the revenue needed to provide for
13 the direct and indirect costs of the supervision and regulation of telephone
14 corporations and all other public utilities under the jurisdiction of the
15 department of regulatory agencies, excluding the amount of money
16 provided as administrative support from the various telecommunications
17 programs administered by the commission, including the high cost
18 support mechanism, established in section 40-15-208; the 911 surcharge,
19 established in section 29-11-102.3; the 988 surcharge, established in
20 section 40-17.5-102; and the ~~telecommunications relay service~~
21 ~~TELEPHONE DISABILITY ACCESS~~ surcharge, established in ~~section~~
22 ~~40-17-103~~ SECTION 40-17-102.

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

24 (1) Except as provided in subsection (4) of this section, to implement this
25 act, the general fund appropriation made in the annual general
26 appropriation act for the 2025-26 state fiscal year to the department of
27 education for use by library programs for reading services for the blind

1 is decreased by \$250,000.

2 (2) Except as provided in subsection (5) of this section, to
3 implement this act, the cash funds appropriation from the Colorado
4 telephone users with disabilities fund created in section 40-17-104 (1),
5 C.R.S., made in the annual general appropriation act for the 2025-26 state
6 fiscal year to the department of regulatory agencies for use by the public
7 utilities commission is decreased as follows:

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

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

12 (3) Except as provided in subsection (6) of this section, to
13 implement this act, the reappropriated funds appropriation made in the
14 annual general appropriation act for the 2025-26 state fiscal year to the
15 department of human services for use by the Colorado commission for the
16 deaf, hard of hearing, and deafblind is decreased by \$3,413,703. This
17 appropriation is from reappropriated funds received from the department
18 of regulatory agencies for use by the public utilities commission for the
19 Colorado commission for the deaf, hard of hearing, and deafblind cash
20 fund.

21 (4) Subsection (1) of this section does not require a reduction of
22 an appropriation in the annual general appropriation act for the 2025-26
23 state fiscal year if:

24 (a) The amount of the general fund appropriation made in the
25 annual general appropriation act for the 2025-26 state fiscal year to the
26 department of education for use by library programs for reading services
27 for the blind is less than the amount of the adjustment required in

1 subsection (1) of this section; or

2 (b) The annual general appropriation act for the 2025-26 state
3 fiscal year does not include an appropriation to the department of
4 department of education for use by library programs for reading services
5 for the blind.

6 (5) Subsection (2) of this section does not require a reduction of
7 an appropriation in the annual general appropriation act for the 2025-26
8 state fiscal year if:

9 (a) The amount of cash funds appropriation made in the annual
10 general appropriation act for the 2025-26 state fiscal year to the
11 department of regulatory agencies for use by the public utilities
12 commission is less than the amount of the adjustment required in
13 subsection (2) of this section; or

14 (b) The annual general appropriation act for the 2025-26 state
15 fiscal year does not include an appropriation to the department of
16 regulatory agencies for use by the public utilities commission.

17 (6) Subsection (3) of this section does not require a reduction of
18 an appropriation in the annual general appropriation act for the 2025-26
19 state fiscal year if:

20 (a) The amount of reappropriated funds appropriation made in the
21 annual general appropriation act for the 2025-26 state fiscal year to the
22 department of human services for use by the Colorado commission for the
23 deaf, hard of hearing, and deafblind is less than the amount of the
24 adjustment required in subsection (3) of this section; or

25 (b) The annual general appropriation act for the 2025-26 state
26 fiscal year does not include an appropriation to the department of
27 regulatory agencies for use by the public utilities commission.

1 **SECTION 31. Appropriation.** (1) For the 2025-26 state fiscal
2 year, \$250,000 is appropriated to the department of regulatory agencies
3 for use by the public utilities commission. This appropriation is from the
4 Colorado telephone users with disabilities fund created in section
5 40-17-104 (1), C.R.S. To implement this act, the commission may use this
6 appropriation for transfer to the reading services for the blind cash fund.

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

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

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

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

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

1 department of human services.

2 **SECTION 32. Effective date.** This act takes effect upon passage;
3 except that section 30 of this act takes effect only if the annual general
4 appropriation act for the 2025-26 state fiscal year becomes law, in which
5 case section 30 takes effect upon the effective date of this act or of the
6 annual general appropriation act for state fiscal year 2025-26, whichever
7 is later.

8 **SECTION 33. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.