

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 18, 2002

Date

Committee on Health, Environment, Welfare, & Institutions.

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

HB02-1281 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 11, strike "26-1-209" and substitute "26-
- 2 1-210";
- 3 line 18, strike "ELEVEN" and substitute "THIRTEEN";
- 4 line 21, strike "THE STATE EPIDEMIOLOGIST," and substitute "THE
- 5 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND
- 6 ENVIRONMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE,".
- 7 Page 4, line 5, before "OR", insert "OCCUPATIONAL THERAPIST,";
- 8 line 8, after "NEUROSURGEON", insert "OR NEUROPSYCHIATRIST";
- 9 line 11, strike "AND";
- 10 line 14, strike "INJURY." and substitute "INJURY; AND";
- 11 after line 14, insert the following:
- 12 "(h) TWO MEMBERS OF THE PUBLIC WHO HAVE EXPERIENCE WITH
- 13 PERSONS WITH TRAUMATIC BRAIN INJURIES.";

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- 1 line 16, strike "SHALL" and substitute "MAY";
- 2 line 18, before "THE", insert "INITIAL APPOINTMENTS TO THE BOARD
3 SHALL BE MADE NO LATER THAN MARCH 1, 2003.";
- 4 line 22, strike "THREE" and substitute "FOUR" and, strike "2003;" and
5 substitute "2004;"
- 6 line 23, strike "2004;" and substitute "2005;"
- 7 line 24, strike "TWO" and substitute "THREE" and, strike "2005." and
8 substitute "2006."
- 9 Page 6, strike lines 23 and 24 and substitute the following:
- 10 "(2) TO BE ELIGIBLE FOR ASSISTANCE";
- 11 line 27, strike "OFFERED" and substitute "PROVIDED".
- 12 Page 7, strike lines 12 through 19;
- 13 line 20, strike "(c)" and substitute "(4)".
- 14 Page 8, strike line 20 and substitute the following:
- 15 "FOR INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES AND ASSIST
16 EDUCATORS, PARENTS, AND NONMEDICAL PROFESSIONALS IN THE
17 IDENTIFICATION OF TRAUMATIC BRAIN INJURIES SO AS TO ASSIST SUCH
18 PERSONS IN SEEKING PROPER MEDICAL INTERVENTION OR TREATMENT."
- 19 Page 9, strike lines 7 through 10 and substitute the following:
- 20 "**26-1-208. Administrative costs.** THE ADMINISTRATIVE
21 EXPENSES OF THE BOARD AND THE DEPARTMENT SHALL BE PAID FROM
22 MONEYS IN THE TRUST FUND. THE JOINT BUDGET COMMITTEE SHALL
23 ANNUALLY APPROPRIATE MONEYS FROM THE FUND TO PAY FOR THE
24 ADMINISTRATIVE EXPENSES OF THE PROGRAM.

1 **26-1-209. General fund moneys.** EXCEPT FOR INITIAL COMPUTER
2 PROGRAMING COSTS FOR THE DEPARTMENT OF REVENUE, IT IS THE INTENT
3 OF THE GENERAL ASSEMBLY THAT NO GENERAL FUND MONEYS BE
4 APPROPRIATED FOR THE IMPLEMENTATION, OPERATION, OR
5 ADMINISTRATION OF THE TRUST FUND AND THE SERVICES PROVIDED BY
6 THE TRUST FUND."

7 Renumber succeeding C.R.S. sections accordingly.

8 Page 10, line 7, strike "26-1-211" and substitute "26-1-212";

9 line 23, strike "____" and substitute "FIFTEEN DOLLARS";

10 line 26, strike "26-1-209" and substitute "26-1-210".

11 Page 11, line 3, after "(e)", insert "(I)" and, strike "____" and substitute
12 "TEN DOLLARS";

13 line 10, strike "26-1-209," and substitute "26-1-210,";

14 line 12, strike "26-1-210" and substitute "26-1-211";

15 after line 12, insert the following:

16 "(II) IF THE SURCHARGE IS COLLECTED BY A COUNTY OR MUNICIPAL
17 COURT, THE SURCHARGE SHALL BE TWELVE DOLLARS OF WHICH TWO
18 DOLLARS SHALL BE RETAINED BY THE COUNTY OR MUNICIPALITY AND THE
19 REMAINING TEN DOLLARS SHALL BE TRANSMITTED TO THE STATE
20 TREASURER AND CREDITED TO THE COLORADO TRAUMATIC BRAIN INJURY
21 TRUST FUND CREATED PURSUANT TO SECTION 26-1-210, C.R.S., WITHIN
22 FOURTEEN DAYS AFTER THE END OF EACH QUARTER, TO BE USED FOR THE
23 PURPOSES SET FORTH IN SECTIONS 26-1-202 TO 26-1-211, C.R.S.

24 **SECTION 5.** 16-18.5-110 (1) (e), Colorado Revised Statutes, is
25 amended, and the said 16-18.5-110 (1) is further amended BY THE
26 ADDITION OF A NEW PARAGRAPH, to read:

27 **16-18.5-110. Order of crediting payments.** (1) Payments

1 received shall be credited in the following order:

2 (e) Late fees; and

3 (e.5) THE SURCHARGE COLLECTED FOR THE COLORADO
4 TRAUMATIC BRAIN INJURY TRUST FUND CREATED PURSUANT TO SECTION
5 26-1-210, C.R.S., PURSUANT TO SECTION 42-4-1301 (9) (g) (IV), C.R.S.,
6 AND SECTION 42-4-1701 (4) (e), C.R.S.; AND

7 **SECTION 6.** 30-15-402 (2), Colorado Revised Statutes, is
8 amended to read:

9 **30-15-402. Violations - penalty.** (2) In addition to the penalties
10 prescribed in subsection (1) of this section, persons convicted of a
11 violation of any ordinance adopted pursuant to this part 4 are subject to:

12 (a) A surcharge of ten dollars ~~These surcharges~~ THAT shall be paid
13 to the clerk of the court by the defendant and each clerk shall transmit the
14 moneys to the court administrator of the judicial district in which the
15 offense occurred for credit to the victims and witnesses assistance and
16 law enforcement fund established in that judicial district pursuant to
17 section 24-4.2-103, C.R.S.;

18 (b) A SURCHARGE OF TWELVE DOLLARS THAT SHALL BE PAID TO
19 THE CLERK OF THE COURT BY THE DEFENDANT AND EACH CLERK SHALL
20 TRANSMIT THE MONEYS TO THE COURT ADMINISTRATOR OF THE JUDICIAL
21 DISTRICT IN WHICH THE OFFENSE OCCURRED FOR CREDIT TO THE
22 COLORADO TRAUMATIC BRAIN INJURY TRUST FUND CREATED PURSUANT TO
23 SECTION 26-1-210, C.R.S. TWO DOLLARS OF THE SURCHARGE SHALL BE
24 RETAINED BY THE COUNTY AND THE REMAINING TEN DOLLARS SHALL BE
25 TRANSMITTED TO THE COLORADO TRAUMATIC BRAIN INJURY TRUST FUND.

26 **SECTION 7.** 42-4-110 (2), Colorado Revised Statutes, is
27 amended to read:

28 **42-4-110. Provisions uniform throughout state.** (2) The
29 municipal courts have jurisdiction over violations of traffic regulations
30 enacted or adopted by municipalities. However, the provisions of

- 1 sections 42-4-1701, 42-4-1705, and 42-4-1707 shall not be applicable to
- 2 municipalities, EXCEPT FOR THE PROVISIONS OF SECTION 42-4-1701 (4) (e)
- 3 (II).".
- 4 Renumber succeeding section accordingly.

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