



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 18-1253**

# FINAL FISCAL NOTE

<b>Drafting Number:</b>	LLS 18-0744	<b>Date:</b>	August 22, 2018
<b>Prime Sponsors:</b>	Rep. Lee; Herod Sen. Gardner	<b>Bill Status:</b>	Signed into Law
		<b>Fiscal Analyst:</b>	Aaron Carpenter   303-866-4918 Aaron.Carpenter@state.co.us

**Bill Topic:** RULE REVIEW BILL

<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure ( <i>minimal</i> )	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Statutory Public Entity ( <i>minimal</i> )

This bill postpones the expiration of all state department's rules and regulations adopted between November 1, 2016, and November 1, 2017, with the exception of the rules listed in the bill. Overall, the bill will increase state and statutory public entity workload in the current FY 2017-18 and FY 2018-19.

**Appropriation  
Summary:** No appropriation is required.

**Fiscal Note  
Status:** This fiscal note reflects the enacted bill.

## Summary of Legislation

This bill provides for the continuation of certain state department's rules and regulations and the expiration of others that were adopted or amended on or after November 1, 2016, and November 1, 2017. Rules are scheduled to expire in the annual rule review bill when the Committee on Legal Services finds that the rule lacks statutory authority or conflicts with state law. Under the bill, discontinued rules expire on May 15, 2018, and are summarized in Table 1. The bill also postpones the expiration of all Public Employees Retirement Association (PERA) and the State Board of Equalization rules and regulations that were adopted or amended between November 1, 2016, and November 1, 2017.

**Table 1  
Rules Expiring Under HB 18-1253**

<b>Department/Agency</b>	<b>Topic Area of Expiring Rules</b>	<b>Number of Rules Expiring</b>
Agriculture	Pesticide Applicators' Act	4
	Retail Marijuana Pesticides	3
Labor and Employment	Underground and Above Ground Storage Tanks	37
	Division of Vocational Rehabilitation	4
Natural Resources	Parks and Wildlife	2
Public Health and Environment	On-site Wastewater Treatment Systems	29
Public Safety	Fireworks	1
Regulatory Agencies	Title Insurance	2
	Midwives	3
	Electricians	5
Revenue	Taxpayer Service Division	7
Transportation	Transport Permits for Extra-Legal Vehicles	1

**State Expenditures**

Overall, in the current FY 2017-18 and FY 2018-19, state department workload will increase to align policies and procedures with state law. For departments with expiring rules, workload will increase to adopt emergency rules, re-promulgate rules, or update materials and procedures to align with the change in rules. Departments that had their rules extended will have a workload decrease if that department does not need to re-promulgate or adopt emergency rules. Any workload impacts resulting from the bill can be accomplished within existing appropriations.

**State Board of Equalization.** The State Board of Equalization in the Department of Local Affairs will have an increase in workload to update materials and procedures to reflect state law, and a decrease in workload from not having to adopt emergency rules or re-promulgate rules that are extended.

**Statutory Public Entity**

The Public Employees' Retirement Association (PERA) will have an increase in workload to update materials and procedures to reflect state law, and a decrease in workload from not having to adopt emergency rules or re-promulgate rules that are extended.

## **Effective Date**

The bill was signed into law by the Governor and took effect on May 11, 2018.

## **State and Local Government Contacts**

All State Agencies