



SENATE JOINT RESOLUTION 21-001

BY SENATOR(S) Fenberg, Garcia;
 also REPRESENTATIVE(S) Esgar, Garnett, Bird, Caraveo, Duran, Exum,
 Froelich, Gonzales-Gutierrez, Herod, Hooton, Kennedy, Kipp, Lontine,
 McCluskie, Michaelson Jenet, Mullica, Snyder, Sullivan, Weissman.

CONCERNING THE ADOPTION OF THE JOINT RULES AS THE
 TEMPORARY JOINT RULES OF THE SEVENTY-THIRD GENERAL
 ASSEMBLY AND MODIFYING JOINT RULE 44 OF THE SENATE
 AND HOUSE OF REPRESENTATIVES RELATED TO
 LEGISLATIVE PROCEDURES DURING A DECLARED DISASTER
 EMERGENCY.

*Be It Resolved by the Senate of the Seventy-third General Assembly
 of the State of Colorado, the House of Representatives concurring herein:*

That the Joint Rules of the Senate and House of Representatives of the
 Seventy-second General Assembly be made the temporary Joint Rules of
 the Senate and House of Representatives of the Seventy-third General
 Assembly, except as hereinafter provided.

Be It Further Resolved, That in the Joint Rules of the Senate and
 House of Representatives, **amend** Joint Rule No. 44 as follows:

**44. Rules of Procedure During a
 Declared Disaster Emergency**

- (a) This rule ~~shall apply if~~ TAKES EFFECT WHEN the Governor, pursuant
 to the relevant portions of the "Colorado Disaster Emergency Act",
 part 7 of article 33.5 of title 24, Colorado Revised Statutes, ~~has issued
 an executive order that~~ declares that the state of Colorado is in a state
 of disaster emergency caused by a public health emergency infecting

or exposing a great number of people to disease, agents, toxins, or other such threats and ~~has activated~~ ACTIVATES the Colorado emergency operations plan. THIS JOINT RULE 44 REMAINS IN EFFECT AND IS APPLICABLE, IN ADDITION TO ANY APPLICABLE RULES OF THE HOUSE OF REPRESENTATIVES OR THE SENATE OR THESE JOINT RULES, UNTIL THE GOVERNOR'S DECLARATION OF A PUBLIC HEALTH DISASTER EMERGENCY EXPIRES OR IS TERMINATED OR UNTIL THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL, REFERRED TO IN THIS JOINT RULE 44 AS THE "EXECUTIVE COMMITTEE", BY A MAJORITY VOTE DECLARES THAT THIS JOINT RULE 44 IS NO LONGER IN EFFECT, WHICHEVER OCCURS FIRST. THE PROVISIONS OF THIS JOINT RULE 44 AND ANY ACTION TAKEN BY THE EXECUTIVE COMMITTEE PURSUANT TO THIS JOINT RULE 44 SUPERSEDE ANY CONFLICTING RULES OF THE HOUSE OF REPRESENTATIVES, RULES OF THE SENATE, AND THESE JOINT RULES.

- (b) ~~If the conditions described in subsection (a) of this rule are met and the General Assembly meets either in regular session or in a special session, however convened, the procedures set forth in this rule shall be followed in addition to any applicable rules of the Senate or the House of Representatives or the Joint Rules.~~ WHEN THIS JOINT RULE 44 TAKES EFFECT AS PROVIDED IN SUBSECTION (a) OF THIS JOINT RULE 44 AND SO LONG AS THIS JOINT RULE 44 REMAINS IN EFFECT, THE GENERAL ASSEMBLY, WHENEVER IT IS DEEMED NECESSARY, MAY ADOPT A JOINT RESOLUTION THAT TEMPORARILY ADJOURNS THE HOUSE OF REPRESENTATIVES AND THE SENATE UNTIL A DATE CERTAIN OR UNTIL RECALLED BY THE SPEAKER AND THE PRESIDENT ACTING JOINTLY. BEFORE RECALLING THE GENERAL ASSEMBLY TO CONVENE ON A DATE OTHER THAN THE DATE SPECIFIED IN THE JOINT RESOLUTION, THE SPEAKER AND THE PRESIDENT SHALL CONSULT WITH THE MINORITY LEADERS OF BOTH CHAMBERS AND PROVIDE TO THE GENERAL ASSEMBLY AS MUCH ADVANCE NOTICE OF THE DATE OF CONVENING AS POSSIBLE AND WITH AT LEAST TWENTY-FOUR HOURS PUBLIC NOTICE. WHILE THE GENERAL ASSEMBLY IS TEMPORARILY ADJOURNED FOR MORE THAN THREE CONSECUTIVE CALENDAR DAYS PURSUANT TO SUCH A JOINT RESOLUTION, THE COUNTING OF LEGISLATIVE DAYS OF A REGULAR SESSION IS SUSPENDED PURSUANT TO SUBSECTION (g) OF THIS JOINT RULE 44.

~~(c) After receiving notification from the Governor that the state of Colorado is in a declared disaster emergency WITHIN A REASONABLE TIME AFTER THIS JOINT RULE 44 TAKES EFFECT, the executive committee of the Legislative Council, referred to in this rule as the "executive committee", shall meet and set forth the following in writing SHALL MEET AND MAY:~~

~~(1) If the General Assembly is in regular session, the list of items or topics on which members of the General Assembly may submit requests for bills to address the particular disaster emergency and the prioritization of any pending legislation relating to the state budget or to state policies PRIORITIZE ANY LEGISLATION that the executive committee deems necessary to enact prior to TEMPORARY OR FINAL adjournment or recess of the regular session; In exercising its authority under this subsection (c), the executive committee shall determine what budgetary issues still need to be addressed for the current or upcoming fiscal year and identify the critical responsibilities of the General Assembly in light of the declared disaster emergency. The goal of the executive committee shall be to reprioritize the remaining work of the regular session and to only address those mission-critical responsibilities prior to adjournment or recess of the regular session. For purposes of determining mission-critical responsibilities, the executive committee shall consider the status of the following:~~

- ~~(A) Repealed, Senate Joint Resolution 13-035, May 8, 2013;~~
- ~~(B) Repealed, House Joint Resolution 10-1017, April 15, 2010;~~
- ~~(C) The annual general appropriation act;~~
- ~~(D) The legislative appropriation bill;~~
- ~~(E) Any supplemental appropriation bills;~~
- ~~(F) The school finance bill; and~~
- ~~(G) Any other issues that, in the estimation of the executive committee, are critical to address prior to a recess or~~

~~adjournment of the regular session.~~

- (2) ~~A limit on the number of bill requests that a member of the House of Representatives or of the Senate may request and a limit on the number of bills that a member of the House of Representatives or of the Senate may introduce;~~ WITH THE APPROVAL OF AT LEAST TWO MEMBERS OF THE EXECUTIVE COMMITTEE FROM EACH HOUSE, CHANGE FOR ALL MEMBERS THE BILL REQUEST LIMITS SPECIFIED IN JOINT RULE 24 (b)(1)(A) TO A NUMBER NOT LESS THAN ONE PER MEMBER BY DECREASING, INCREASING, OR WAIVING SAID BILL LIMITS, AND CHANGE OR WAIVE THE BILL REQUEST DEADLINES SPECIFIED IN JOINT RULE 23 (a). THIS SUBSECTION (c)(2) DOES NOT LIMIT THE AUTHORITY OF THE HOUSE COMMITTEE ON DELAYED BILLS AND THE SENATE COMMITTEE ON DELAYED BILLS TO ACT ON INDIVIDUAL DELAYED BILL REQUESTS AS PROVIDED IN JOINT RULE 23 (b) AND JOINT RULE 24 (b)(1)(A).
- (3) ~~A deadline schedule including the dates when the General Assembly shall convene or resume meeting;~~ PURSUANT TO JOINT RULE 23 (c), ISSUE A MEMORANDUM MODIFYING THE DEADLINES SPECIFIED IN JOINT RULE 23 (a) IF THE EXECUTIVE COMMITTEE DETERMINES THAT THE DEADLINE SCHEDULE FOR THE REMAINDER OF THE REGULAR SESSION REQUIRES ADJUSTMENT; AND
- (4) ~~If necessary, the President and the Speaker or their designees shall activate the critical information call tree of the General Assembly;~~
- (5) ADOPT NECESSARY PROTOCOLS AND SAFETY PRECAUTIONS. If the executive committee, in consultation with the Governor and the representatives of the department of public health and environment, ~~determine~~ DETERMINES that ~~there is an increased~~ THE health risk to the members of the General Assembly or to the public of meeting in the state capitol building during the declared disaster emergency IS UNACCEPTABLE, the executive committee may make ~~other~~ arrangements to have the General Assembly meet on a temporary basis in another location in the city and county of Denver. ~~or, if an alternate location cannot be~~

~~found within the city and county of Denver, in another location within the state.~~

- (d) ~~Upon convening as a General Assembly and ascertaining that there is a quorum to meet, the House of Representatives and the Senate shall each adopt by a simple majority vote the rules of the House of Representatives and the Senate and the Joint Rules as the temporary rules.~~
- (e) (1) (A) ~~Notwithstanding any committees of reference that have been~~ ARE constituted for a regular session of the General Assembly pursuant to Senate Rule 21, ~~new committees of reference shall be appointed by resolution to serve during the period of the disaster emergency. The party representation of such newly constituted committees shall be in proportion, as nearly as practicable, as determined by the majority leader, to the relative number of members of the two major political parties in the Senate. The majority leader of the Senate shall determine the minimum number of members for each committee of reference meeting during the disaster emergency, shall designate the number from each political party, and shall appoint the majority members to the committees of reference. The minority leader shall appoint the minority members to such committees. The majority leader and the minority leader may appoint any substitute members as necessary in order to ensure that each committee has adequate representation~~ THE MAJORITY LEADER OF THE SENATE MAY RECONFIGURE ONE OR MORE OF THE COMMITTEES OF REFERENCE, MAINTAINING THE REPRESENTATION ON EACH COMMITTEE IN PROPORTION, AS NEARLY AS PRACTICABLE, AS DETERMINED BY THE MAJORITY LEADER, TO THE RELATIVE NUMBER OF MEMBERS OF THE TWO MAJOR POLITICAL PARTIES IN THE SENATE. THE MAJORITY LEADER SHALL APPOINT THE MAJORITY PARTY MEMBERSHIP AND THE MINORITY LEADER SHALL APPOINT THE MINORITY PARTY MEMBERSHIP OF EACH RECONFIGURED COMMITTEE. THE MAJORITY LEADER MAY ALSO CHANGE THE SCHEDULE OF COMMITTEE

MEETINGS DESCRIBED IN SENATE RULE 22 (a)(1) AS NECESSARY.

- (B) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT, THE MAJORITY LEADER AND MINORITY LEADER OF THE SENATE SHALL RESTORE THE CONFIGURATION OF THE COMMITTEES OF REFERENCE IN ACCORDANCE WITH THE REQUIREMENTS OF SENATE RULE 21 (a) AND THE COMMITTEES OF REFERENCE SHALL MEET IN ACCORDANCE WITH THE SCHEDULE OF COMMITTEE MEETINGS DESCRIBED IN SENATE RULE 22 (a)(1).
- (2) (A) Notwithstanding any committees of reference that ~~have been~~ ARE constituted for a regular session of the General Assembly pursuant to House Rule 25, ~~new committees of reference shall be appointed by resolution to serve during the period of the disaster emergency. The party representation of such newly constituted committees shall be in proportion, as nearly as practicable, as determined by the Speaker, to the relative number of members of the two major political parties in the House of Representatives. The Speaker shall determine the minimum number of members for each committee of reference meeting during the disaster emergency, shall designate the number from each political party, and shall appoint the majority members to the committees of reference. The minority leader shall appoint the minority members to such committees. The Speaker and the minority leader may appoint any substitute members as necessary in order to ensure that each committee has adequate representation~~ THE SPEAKER MAY RECONFIGURE ONE OR MORE OF THE COMMITTEES OF REFERENCE, MAINTAINING THE REPRESENTATION ON EACH COMMITTEE IN PROPORTION, AS NEARLY AS PRACTICABLE, AS DETERMINED BY THE SPEAKER, TO THE RELATIVE NUMBER OF MEMBERS OF THE TWO MAJOR POLITICAL PARTIES IN THE HOUSE. THE SPEAKER SHALL APPOINT THE MAJORITY PARTY MEMBERSHIP AND THE MINORITY LEADER SHALL APPOINT THE MINORITY PARTY MEMBERSHIP OF EACH

RECONFIGURED COMMITTEE. NOTWITHSTANDING THE PROVISIONS OF HOUSE RULE 25 (c), SO LONG AS THIS JOINT RULE 44 REMAINS IN EFFECT, THE SPEAKER AND THE MINORITY LEADER ARE NOT REQUIRED TO ENSURE THAT EACH MEMBER OF THE HOUSE IS APPOINTED TO AT LEAST ONE COMMITTEE. THE SPEAKER MAY ALSO CHANGE THE SCHEDULE OF COMMITTEE MEETINGS DESCRIBED IN HOUSE RULE 25 (j)(1)(A) AS NECESSARY.

- (B) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT, THE SPEAKER AND MINORITY LEADER OF THE HOUSE SHALL RESTORE THE CONFIGURATION OF THE COMMITTEES OF REFERENCE IN ACCORDANCE WITH THE REQUIREMENTS OF HOUSE RULES 3 (b)(8) AND 25 (a), (c), (g), AND (h) AND THE COMMITTEES OF REFERENCE SHALL MEET IN ACCORDANCE WITH THE SCHEDULE OF COMMITTEE MEETINGS DESCRIBED IN HOUSE RULE 25 (j)(1)(A).

- (3) ~~The committees appointed pursuant to paragraphs (1) and (2) of this subsection (c) shall only be in existence during the declared disaster emergency. Once the state of disaster emergency has passed or has been dealt with to the extent that emergency conditions no longer exist pursuant to section 24-33.5-704 (4), Colorado Revised Statutes, the committees of reference in existence prior to the disaster emergency shall be restored.~~

- (f) (1) ~~Nothing in this rule shall be interpreted as changing the constitutional requirements for the number of legislators required to pass a bill by majority vote in either the House of Representatives or the Senate~~ WHEN THIS JOINT RULE 44 IS IN EFFECT, THE SPEAKER AND THE PRESIDENT, FOR THEIR RESPECTIVE CHAMBERS, MAY REASSIGN TO ANOTHER COMMITTEE OF REFERENCE ANY BILLS THAT WERE PREVIOUSLY ASSIGNED TO A COMMITTEE OF REFERENCE BUT NOT REPORTED OUT OF COMMITTEE WHEN THIS JOINT RULE 44 TOOK EFFECT.

- (2) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT, THE SPEAKER AND THE PRESIDENT, FOR THEIR RESPECTIVE CHAMBERS, MAY REASSIGN TO ANOTHER COMMITTEE OF

REFERENCE ANY BILLS THAT WERE PREVIOUSLY ASSIGNED TO A COMMITTEE OF REFERENCE BUT NOT REPORTED OUT OF COMMITTEE WHILE THIS JOINT RULE 44 WAS IN EFFECT.

- (g) ~~Notwithstanding the provisions of Joint Rule 23 (d), of the Joint Rules of the Senate and the House of Representatives regarding counting legislative days of a regular session as consecutive days, the maximum of one hundred twenty calendar days prescribed by section 7 of article V of the state constitution shall be counted as one hundred twenty separate working calendar days if the Governor has declared a state of disaster emergency due to a public health emergency pursuant to section 24-33.5-704, Colorado Revised Statutes. Once the disaster emergency is over the House of Representatives and the Senate shall resume following Joint Rule 23 (d), during regular sessions~~ IF THE GENERAL ASSEMBLY TEMPORARILY ADJOURNS PURSUANT TO SUBSECTION (b) OF THIS JOINT RULE 44 FOR MORE THAN THREE CONSECUTIVE CALENDAR DAYS, THE DAYS DURING THE TEMPORARY ADJOURNMENT ARE NOT COUNTED TOWARD THE MAXIMUM OF ONE HUNDRED TWENTY CALENDAR DAYS IMPOSED BY ARTICLE V, SECTION 7 OF THE COLORADO CONSTITUTION. WHEN THE GENERAL ASSEMBLY RECONVENES IN REGULAR SESSION FOLLOWING A TEMPORARY ADJOURNMENT, THE COUNTING OF CALENDAR DAYS AS PROVIDED IN JOINT RULE 23 (d) RESUMES WITH THE NEXT LEGISLATIVE DAY FOLLOWING THE LEGISLATIVE DAY ON WHICH THE GENERAL ASSEMBLY TEMPORARILY ADJOURNED.
- (h) (1) In addition to all of the powers, duties, and responsibilities set forth in Senate Rule 13 and in any other Senate rule, the secretary of the Senate shall have additional powers and authority, as the secretary deems necessary, in a declared disaster emergency to implement, SUBJECT TO THE APPROVAL OF THE PRESIDENT, new or streamlined methods of operations and may suspend, SUBJECT TO THE APPROVAL OF THE PRESIDENT, requirements set forth in the Rules of the Senate and the Joint Rules in order to preserve the resources of the Senate and function effectively during the disaster emergency.
- (2) In addition to all of the powers, duties, and responsibilities set

forth in House Rule 43 and in any other House rule, the chief clerk of the House of Representatives shall have additional powers and authority, as the chief clerk deems necessary, in a declared disaster emergency to implement, SUBJECT TO THE APPROVAL OF THE SPEAKER, new or streamlined methods of operations and may suspend, SUBJECT TO THE APPROVAL OF THE SPEAKER, requirements set forth in the Rules of the House of Representatives and the Joint Rules in order to preserve the resources of the House of Representatives and function effectively during the disaster emergency.

- (i) IF NECESSARY TO COMPLY WITH THE REQUIREMENTS OF SECTION 2-7-203 (2)(a), COLORADO REVISED STATUTES, WHILE THE GENERAL ASSEMBLY IS TEMPORARILY ADJOURNED PURSUANT TO SUBSECTION (b) OF THIS JOINT RULE 44, THE JOINT COMMITTEES OF REFERENCE MAY MEET TO CONDUCT AGENCY OVERSIGHT HEARINGS AS DESCRIBED IN SECTION 2-7-203 (2), COLORADO REVISED STATUTES. NOTWITHSTANDING THE PROVISIONS OF SENATE RULE 22B AND HOUSE RULE 25A, THE EXECUTIVE COMMITTEE MAY ADOPT A POLICY AUTHORIZING MEMBERS OF THE JOINT COMMITTEES OF REFERENCE TO PARTICIPATE REMOTELY IN, AND AUTHORIZING REMOTE TESTIMONY FOR PURPOSES OF, SAID AGENCY OVERSIGHT HEARINGS.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
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