

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

REVISED

LLS NO. R21-0701.01 Julie Pelegrin x2700

SJR21-001

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SENATE JOINT RESOLUTION 21-001

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

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

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

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

HOUSE
Amended Final Reading
January 13, 2021

SENATE
Amended Final Rdg
January 13, 2021

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

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

- 5 (a) This rule ~~shall apply if~~ TAKES EFFECT WHEN the Governor,
6 pursuant to the relevant portions of the "Colorado Disaster
7 Emergency Act", part 7 of article 33.5 of title 24, Colorado
8 Revised Statutes, ~~has issued an executive order that~~ declares that
9 the state of Colorado is in a state of disaster emergency caused by
10 a public health emergency infecting or exposing a great number of
11 people to disease, agents, toxins, or other such threats and ~~has~~
12 **activated** ACTIVATES the Colorado emergency operations plan.
13 THIS JOINT RULE 44 REMAINS IN EFFECT AND IS APPLICABLE, IN
14 ADDITION TO ANY APPLICABLE RULES OF THE HOUSE OF
15 REPRESENTATIVES OR THE SENATE OR THESE JOINT RULES, UNTIL
16 THE GOVERNOR'S DECLARATION OF A PUBLIC HEALTH DISASTER
17 EMERGENCY EXPIRES OR IS TERMINATED OR UNTIL THE EXECUTIVE
18 COMMITTEE OF THE LEGISLATIVE COUNCIL, REFERRED TO IN THIS
19 JOINT RULE 44 AS THE "EXECUTIVE COMMITTEE", BY A MAJORITY
20 VOTE DECLARES THAT THIS JOINT RULE 44 IS NO LONGER IN
21 EFFECT, WHICHEVER OCCURS FIRST. THE PROVISIONS OF THIS JOINT
22 RULE 44 AND ANY ACTION TAKEN BY THE EXECUTIVE COMMITTEE
23 PURSUANT TO THIS JOINT RULE 44 SUPERSEDE ANY CONFLICTING
24 RULES OF THE HOUSE OF REPRESENTATIVES, RULES OF THE
25 SENATE, AND THESE JOINT RULES.
- 26 (b) ~~If the conditions described in subsection (a) of this rule are met~~
27 ~~and the General Assembly meets either in regular session or in a~~
28 ~~special session, however convened, the procedures set forth in this~~
29 ~~rule shall be followed in addition to any applicable rules of the~~
30 ~~Senate or the House of Representatives or the Joint Rules.~~ WHEN
31 THIS JOINT RULE 44 TAKES EFFECT AS PROVIDED IN SUBSECTION (a)
32 OF THIS JOINT RULE 44 AND SO LONG AS THIS JOINT RULE 44
33 REMAINS IN EFFECT, THE GENERAL ASSEMBLY, WHENEVER IT IS
34 DEEMED NECESSARY, MAY ADOPT A JOINT RESOLUTION THAT
35 TEMPORARILY ADJOURNS THE HOUSE OF REPRESENTATIVES AND
36 THE SENATE UNTIL A DATE CERTAIN OR UNTIL RECALLED BY THE
37 SPEAKER AND THE PRESIDENT ACTING JOINTLY. BEFORE
38 RECALLING THE GENERAL ASSEMBLY TO CONVENE ON A DATE

1 OTHER THAN THE DATE SPECIFIED IN THE JOINT RESOLUTION, THE
2 SPEAKER AND THE PRESIDENT SHALL CONSULT WITH THE MINORITY
3 LEADERS OF BOTH CHAMBERS AND PROVIDE TO THE GENERAL
4 ASSEMBLY AS MUCH ADVANCE NOTICE OF THE DATE OF
5 CONVENING AS POSSIBLE AND WITH AT LEAST TWENTY-FOUR
6 HOURS PUBLIC NOTICE. WHILE THE GENERAL ASSEMBLY IS
7 TEMPORARILY ADJOURNED FOR MORE THAN THREE CONSECUTIVE
8 CALENDAR DAYS PURSUANT TO SUCH A JOINT RESOLUTION, THE
9 COUNTING OF LEGISLATIVE DAYS OF A REGULAR SESSION IS
10 SUSPENDED PURSUANT TO SUBSECTION (g) OF THIS JOINT RULE 44.

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

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

36 (A) Repealed, Senate Joint Resolution 13-035, May 8,
37 2013;

38 (B) Repealed, House Joint Resolution 10-1017, April

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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;~~

1 (5) ADOPT NECESSARY PROTOCOLS AND SAFETY PRECAUTIONS.
2 If the executive committee, in consultation with the
3 Governor and the representatives of the department of
4 public health and environment, ~~determine~~ DETERMINES that
5 ~~there is an increased~~ THE health risk to the members of the
6 General Assembly or to the public of meeting in the state
7 capitol building during the declared disaster emergency IS
8 UNACCEPTABLE, the executive committee may make ~~other~~
9 arrangements to have the General Assembly meet on a
10 temporary basis in another location in the city and county
11 of Denver. ~~or, if an alternate location cannot be found~~
12 ~~within the city and county of Denver, in another location~~
13 ~~within the state.~~

14 (d) ~~Upon convening as a General Assembly and ascertaining that there~~
15 ~~is a quorum to meet, the House of Representatives and the Senate~~
16 ~~shall each adopt by a simple majority vote the rules of the House~~
17 ~~of Representatives and the Senate and the Joint Rules as the~~
18 ~~temporary rules.~~

19 (e) (1) (A) Notwithstanding any committees of reference that
20 ~~have been~~ ARE constituted for a regular session of
21 the General Assembly pursuant to Senate Rule 21,
22 ~~new committees of reference shall be appointed by~~
23 ~~resolution to serve during the period of the disaster~~
24 ~~emergency. The party representation of such newly~~
25 ~~constituted committees shall be in proportion, as~~
26 ~~nearly as practicable, as determined by the majority~~
27 ~~leader, to the relative number of members of the two~~
28 ~~major political parties in the Senate. The majority~~
29 ~~leader of the Senate shall determine the minimum~~
30 ~~number of members for each committee of~~
31 ~~reference meeting during the disaster emergency;~~
32 ~~shall designate the number from each political party,~~
33 ~~and shall appoint the majority members to the~~
34 ~~committees of reference. The minority leader shall~~
35 ~~appoint the minority members to such committees.~~
36 ~~The majority leader and the minority leader may~~
37 ~~appoint any substitute members as necessary in~~
38 ~~order to ensure that each committee has adequate~~
39 ~~representation~~ THE MAJORITY LEADER OF THE
40 SENATE MAY RECONFIGURE ONE OR MORE OF THE

1 COMMITTEES OF REFERENCE, MAINTAINING THE
2 REPRESENTATION ON EACH COMMITTEE IN
3 PROPORTION, AS NEARLY AS PRACTICABLE, AS
4 DETERMINED BY THE MAJORITY LEADER, TO THE
5 RELATIVE NUMBER OF MEMBERS OF THE TWO MAJOR
6 POLITICAL PARTIES IN THE SENATE. THE MAJORITY
7 LEADER SHALL APPOINT THE MAJORITY PARTY
8 MEMBERSHIP AND THE MINORITY LEADER SHALL
9 APPOINT THE MINORITY PARTY MEMBERSHIP OF EACH
10 RECONFIGURED COMMITTEE. THE MAJORITY LEADER
11 MAY ALSO CHANGE THE SCHEDULE OF COMMITTEE
12 MEETINGS DESCRIBED IN SENATE RULE 22 (a)(1) AS
13 NECESSARY.

14 (B) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT,
15 THE MAJORITY LEADER AND MINORITY LEADER OF
16 THE SENATE SHALL RESTORE THE CONFIGURATION
17 OF THE COMMITTEES OF REFERENCE IN ACCORDANCE
18 WITH THE REQUIREMENTS OF SENATE RULE 21 (a)
19 AND THE COMMITTEES OF REFERENCE SHALL MEET IN
20 ACCORDANCE WITH THE SCHEDULE OF COMMITTEE
21 MEETINGS DESCRIBED IN SENATE RULE 22 (a)(1).

22 (2) (A) Notwithstanding any committees of reference that
23 ~~have been~~ ARE constituted for a regular session of
24 the General Assembly pursuant to House Rule 25,
25 ~~new committees of reference shall be appointed by~~
26 ~~resolution to serve during the period of the disaster~~
27 ~~emergency. The party representation of such newly~~
28 ~~constituted committees shall be in proportion, as~~
29 ~~nearly as practicable, as determined by the Speaker,~~
30 ~~to the relative number of members of the two major~~
31 ~~political parties in the House of Representatives.~~
32 ~~The Speaker shall determine the minimum number~~
33 ~~of members for each committee of reference~~
34 ~~meeting during the disaster emergency, shall~~
35 ~~designate the number from each political party, and~~
36 ~~shall appoint the majority members to the~~
37 ~~committees of reference. The minority leader shall~~
38 ~~appoint the minority members to such committees.~~
39 ~~The Speaker and the minority leader may appoint~~
40 ~~any substitute members as necessary in order to~~

1 ~~ensure that each committee has adequate~~
2 ~~representation~~ THE SPEAKER MAY RECONFIGURE ONE
3 OR MORE OF THE COMMITTEES OF REFERENCE,
4 MAINTAINING THE REPRESENTATION ON EACH
5 COMMITTEE IN PROPORTION, AS NEARLY AS
6 PRACTICABLE, AS DETERMINED BY THE SPEAKER, TO
7 THE RELATIVE NUMBER OF MEMBERS OF THE TWO
8 MAJOR POLITICAL PARTIES IN THE HOUSE. THE
9 SPEAKER SHALL APPOINT THE MAJORITY PARTY
10 MEMBERSHIP AND THE MINORITY LEADER SHALL
11 APPOINT THE MINORITY PARTY MEMBERSHIP OF EACH
12 RECONFIGURED COMMITTEE. NOTWITHSTANDING
13 THE PROVISIONS OF HOUSE RULE 25 (c), SO LONG AS
14 THIS JOINT RULE 44 REMAINS IN EFFECT, THE
15 SPEAKER AND THE MINORITY LEADER ARE NOT
16 REQUIRED TO ENSURE THAT EACH MEMBER OF THE
17 HOUSE IS APPOINTED TO AT LEAST ONE COMMITTEE.
18 THE SPEAKER MAY ALSO CHANGE THE SCHEDULE OF
19 COMMITTEE MEETINGS DESCRIBED IN HOUSE RULE
20 25 (j)(1)(A) AS NECESSARY.

21 (B) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT,
22 THE SPEAKER AND MINORITY LEADER OF THE HOUSE
23 SHALL RESTORE THE CONFIGURATION OF THE
24 COMMITTEES OF REFERENCE IN ACCORDANCE WITH
25 THE REQUIREMENTS OF HOUSE RULES 3 (b)(8) AND
26 25 (a), (c), (g), AND (h) AND THE COMMITTEES OF
27 REFERENCE SHALL MEET IN ACCORDANCE WITH THE
28 SCHEDULE OF COMMITTEE MEETINGS DESCRIBED IN
29 HOUSE RULE 25 (j)(1)(A).

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

38 (f) (1) ~~Nothing in this rule shall be interpreted as changing the~~
39 ~~constitutional requirements for the number of legislators~~

1 ~~required to pass a bill by majority vote in either the House~~
2 ~~of Representatives or the Senate~~ WHEN THIS JOINT RULE 44
3 IS IN EFFECT, THE SPEAKER AND THE PRESIDENT, FOR THEIR
4 RESPECTIVE CHAMBERS, MAY REASSIGN TO ANOTHER
5 COMMITTEE OF REFERENCE ANY BILLS THAT WERE
6 PREVIOUSLY ASSIGNED TO A COMMITTEE OF REFERENCE BUT
7 NOT REPORTED OUT OF COMMITTEE WHEN THIS JOINT RULE
8 44 TOOK EFFECT.

9 (2) WHEN THIS JOINT RULE 44 CEASES TO BE IN EFFECT, THE
10 SPEAKER AND THE PRESIDENT, FOR THEIR RESPECTIVE
11 CHAMBERS, MAY REASSIGN TO ANOTHER COMMITTEE OF
12 REFERENCE ANY BILLS THAT WERE PREVIOUSLY ASSIGNED
13 TO A COMMITTEE OF REFERENCE BUT NOT REPORTED OUT OF
14 COMMITTEE WHILE THIS JOINT RULE 44 WAS IN EFFECT.

15 (g) Notwithstanding the provisions of Joint Rule 23 (d), ~~of the Joint~~
16 ~~Rules of the Senate and the House of Representatives~~ regarding
17 counting legislative days of a regular session as consecutive days,
18 ~~the maximum of one hundred twenty calendar days prescribed by~~
19 ~~section 7 of article V of the state constitution shall be counted as~~
20 ~~one hundred twenty separate working calendar days if the~~
21 ~~Governor has declared a state of disaster emergency due to a~~
22 ~~public health emergency pursuant to section 24-33.5-704,~~
23 ~~Colorado Revised Statutes. Once the disaster emergency is over~~
24 ~~the House of Representatives and the Senate shall resume~~
25 ~~following Joint Rule 23 (d), during regular sessions~~ IF THE
26 GENERAL ASSEMBLY TEMPORARILY ADJOURNS PURSUANT TO
27 SUBSECTION (b) OF THIS JOINT RULE 44 FOR MORE THAN THREE
28 CONSECUTIVE CALENDAR DAYS, THE DAYS DURING THE
29 TEMPORARY ADJOURNMENT ARE NOT COUNTED TOWARD THE
30 MAXIMUM OF ONE HUNDRED TWENTY CALENDAR DAYS IMPOSED BY
31 ARTICLE V, SECTION 7 OF THE COLORADO CONSTITUTION. WHEN
32 THE GENERAL ASSEMBLY RECONVENES IN REGULAR SESSION
33 FOLLOWING A TEMPORARY ADJOURNMENT, THE COUNTING OF
34 CALENDAR DAYS AS PROVIDED IN JOINT RULE 23 (d) RESUMES WITH
35 THE NEXT LEGISLATIVE DAY FOLLOWING THE LEGISLATIVE DAY ON
36 WHICH THE GENERAL ASSEMBLY TEMPORARILY ADJOURNED.

37 (h) (1) In addition to all of the powers, duties, and responsibilities
38 set forth in Senate Rule 13 and in any other Senate rule, the
39 secretary of the Senate shall have additional powers and

1 authority, as the secretary deems necessary, in a declared
2 disaster emergency to implement, SUBJECT TO THE
3 APPROVAL OF THE PRESIDENT, new or streamlined methods
4 of operations and may suspend, SUBJECT TO THE APPROVAL
5 OF THE PRESIDENT, requirements set forth in the Rules of
6 the Senate and the Joint Rules in order to preserve the
7 resources of the Senate and function effectively during the
8 disaster emergency.

9 (2) In addition to all of the powers, duties, and responsibilities
10 set forth in House Rule 43 and in any other House rule, the
11 chief clerk of the House of Representatives shall have
12 additional powers and authority, as the chief clerk deems
13 necessary, in a declared disaster emergency to implement,
14 SUBJECT TO THE APPROVAL OF THE SPEAKER, new or
15 streamlined methods of operations and may suspend,
16 SUBJECT TO THE APPROVAL OF THE SPEAKER, requirements
17 set forth in the Rules of the House of Representatives and
18 the Joint Rules in order to preserve the resources of the
19 House of Representatives and function effectively during
20 the disaster emergency.

21 (i) IF NECESSARY TO COMPLY WITH THE REQUIREMENTS OF SECTION
22 2-7-203 (2)(a), COLORADO REVISED STATUTES, WHILE THE
23 GENERAL ASSEMBLY IS TEMPORARILY ADJOURNED PURSUANT TO
24 SUBSECTION (b) OF THIS JOINT RULE 44, THE JOINT COMMITTEES OF
25 REFERENCE MAY MEET TO CONDUCT AGENCY OVERSIGHT HEARINGS
26 AS DESCRIBED IN SECTION 2-7-203 (2), COLORADO REVISED
27 STATUTES. NOTWITHSTANDING THE PROVISIONS OF SENATE RULE
28 22B AND HOUSE RULE 25A, THE EXECUTIVE COMMITTEE MAY
29 ADOPT A POLICY AUTHORIZING MEMBERS OF THE JOINT
30 COMMITTEES OF REFERENCE TO PARTICIPATE REMOTELY IN, AND
31 AUTHORIZING REMOTE TESTIMONY FOR PURPOSES OF, SAID AGENCY
32 OVERSIGHT HEARINGS.