

COLORADO GENERAL ASSEMBLY

EXECUTIVE COMMITTEE

Rep. Julie McCluskie, Chair
Sen. Stephen Fenberg, Vice-chair
Rep. Monica Duran
Sen. Robert Rodriguez
Rep. Rose Pugliese
Sen. Paul Lundeen

STAFF

Natalie Castle, Director



EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL

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August 15, 2024

To: Chairs of Interim Committees
From: Executive Committee of the Legislative Council
Date: August 15, 2024
Subject: Addendum to the March 5, 2024 Memorandum Re: 2024 Interim Committee Deadlines and Procedures for Proposing Legislation

In accordance with Joint Rule 24A (d)(2.6) and (d)(2.7), the executive committee adopted deadlines and procedures for the operation of the statutory committees, interim study committees, and task forces, referred collectively as "interim committees", that are authorized to propose legislation for the 2024 interim in a memorandum dated March 5, 2024 (attached). The deadlines in that memo requires interim committees to "Set a date by which interim committee members must finalize legislation drafts or that drafts will be deemed finalized for distribution to the interim committee and release to Legislative Council Staff (LCS) for purposes of preparing fiscal notes on proposed legislation, which date must be no sooner than 21 days after the meeting when the legislation is requested, at least 21 days before the meeting at which the committee will consider the proposed legislation and fiscal notes, and no later than September 10, 2024;."

Notwithstanding the above stated deadline, the deadline for the 2024 interim committees to finalize legislation drafts or the deadline that drafts will be deemed finalized for distribution to the interim committee and released to LCS for purposes of preparing fiscal notes on proposed legislation may be extended from the date set by the 2024 interim committee by agreement of

the Office of Legislative Legal Services (OLLS) and LCS. If a deadline is changed by agreement of OLLS and LCS, the deadline is binding upon the interim committee. The deadline for committees to meet to consider proposed legislation and fiscal notes may not be changed. The authority for extending the deadline is necessary due to the extraordinary legislative session that is scheduled to begin on August 26, 2024 to allow nonpartisan legislative staff to focus its efforts during the extraordinary legislative session.

Sincerely,

Speaker Julie McCluskie, Chair

President Stephen Fenberg, Vice-chair

Majority Leader Monica Duran

Majority Leader Robert Rodriguez

Minority Leader Rose Pugliese

Minority Leader Paul Lundeen

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TO: Chairs of Interim Committees
FROM: Members of the Executive Committee of Legislative Council
DATE: March 5, 2024
SUBJECT: 2024 Interim Committee Deadlines and Procedures for Proposing Legislation

In accordance with Joint Rule 24A (d)(2.6) and (d)(2.7), for the 2024 interim, the Executive Committee has adopted the below deadlines and procedures for the operation of any statutory committees, interim study committees, and task forces, referred to collectively as "interim committees", that are authorized to propose legislation.¹ The deadlines and procedures are intended to allow adequate time for the Office of Legislative Legal Services (OLLS) to draft legislation and for Legislative Council Staff (LCS) to prepare fiscal notes² in time for interim committees to vote on legislation and for the Legislative Council to approve legislation prior to the deadlines specified in Joint Rule 24 (b)(1)(D).

¹ The recommended deadlines are based on the assumption that the Legislative Council will meet on or around October 15, 2024, to consider whether to approve interim committee legislation in accordance with Joint Rule 24 (b)(1)(D).

² Pursuant to section 2-2-322 (4), C.R.S., Legislative Council Staff is required to prepare and provide to interim committees, before a final vote on proposed interim committee legislation, fiscal notes on the proposed legislation being considered by the committees.

Deadlines for Interim Committee Legislation. In accordance with Joint Rule 24A (d)(2.6), **by the first meeting or as soon as possible after the first meeting** of the interim committee, the interim committee chair shall:

- A) Set a date for a single meeting at which the interim committee may request legislation for drafting by OLLS, which date must be **at least 42 days before** the meeting at which the interim committee will consider and take final action on proposed legislation and **no later than August 20, 2024**;³
- B) Set a date by which interim committee members must finalize legislation drafts or that drafts will be deemed finalized for distribution to the interim committee and release to LCS for purposes of preparing fiscal notes on proposed legislation, which date must be **no sooner than 21 days after** the meeting when the legislation is requested, **at least 21 days before** the meeting at which the committee will consider the proposed legislation and fiscal notes, and **no later than September 10, 2024**;
- C) Set a date for a subsequent meeting at which the interim committee will consider and take final action on proposed legislation, which meeting must be **no later than October 1, 2024**.

I) Procedures for Requesting Legislation and for Fiscal Note Preparation.

- A) In accordance with Joint Rule 24A (d)(2.6) and (d)(2.7), interim committees must comply with the following procedures for requesting legislation in order for the OLLS to draft the proposals:
 - i) Interim committee members must request legislation **during a single interim committee meeting set for requesting legislation**;
 - ii) **Legislation requests must be approved by a majority** of the legislative members of the interim committee;
 - iii) **Only legislative members** of an interim committee may **request** legislation;
 - iv) In requesting legislation for drafting, **chairs and members should be mindful of the limit on the total number of bills the interim committee is authorized to request pursuant to Joint Rule 24A (d)(2.7)(A.5), which specifies that an interim committee may not request the OLLS to draft more than twice the number of bills the interim committee is authorized to recommend to the Legislative Council. Interim committees should not approve bills with very broad subjects that include a number of topics as a way to circumvent the limit on the number of bill requests or to expand the scope of the interim committee's charge.**

³ See table on the third page of this memorandum, which sets forth key dates for requesting and finalizing legislation based on when the committee meetings are scheduled.



Interim committee members must have drafting information available at the meeting at which the members request legislation or must submit drafting information to the OLLS drafter within 3 calendar days after the meeting.

Failure to timely submit drafting information is deemed as a withdrawal of the legislation request, and the OLLS will not draft the requested legislation for consideration by the interim committee.

Interim committee members requesting legislation must be available to OLLS drafters and LCS fiscal analysts during the period when legislation drafts and fiscal notes are prepared.

- B) With regard to the preparation of fiscal notes on proposed legislation:
- i) When a draft is finalized, the **LCS is authorized to share** the draft with affected state agencies for fiscal note preparation purposes;
 - ii) If the sponsor fails to finalize the draft by the date specified by the interim committee chair, the draft is **deemed finalized and authorized for release for fiscal note preparation purposes;**
- C) Once a draft is finalized for distribution to the interim committee and release for fiscal analysis, **neither the requesting interim committee member nor any other member of the interim committee may modify the draft**, and interim committee members must present any proposed changes to the finalized draft as an amendment to the finalized draft at the interim committee meeting at which the finalized draft is considered;
- D) If an interim committee authorizes the drafting of a bill and then the bill is subsequently withdrawn, the fact that the bill was withdrawn may be conveyed to the public; and
- E) Once a draft is finalized for distribution to the interim committee and released for fiscal analysis, the bill is deemed to be public and may be posted on the interim committee's website.

II) Procedures for Approving Legislation and Amendments and Designating Sponsors.

In accordance with Joint Rules 24 (b)(1)(D) and 24A (d)(2.6), (6), and (8), interim committees must comply with the following procedures for considering and taking final action on legislation requested by the interim committee, including amendments to legislation:

- A) **Only legislative members** of an interim committee may approve legislation and amendments;
- B) **Only legislative members** of an interim committee may request amendments to legislation drafts being considered by the interim committee;
- C) A **majority vote of the legislative members** of the interim committee is required to recommend legislation, unless otherwise specified;⁴

⁴ The statute authorizing the interim committee, an Executive Committee resolution, or the written request for the interim committee as approved by the Legislative Council may specify a different requirement for approval of legislation by the interim committee.

- D) Upon approval of a draft measure, the chair of the interim committee must designate a member or members of the interim committee as the prime sponsor or joint prime sponsors of the legislation and poll the interim committee to determine if any other members wish to cosponsor the legislation.⁵ Unless approved by the interim committee, **no other legislators may be added as sponsors or cosponsors** of the legislation, and no prime sponsors, sponsors, or cosponsors may be removed from the legislation⁶, prior to introduction of the legislation in the next legislative session.
- E) Upon interim committee approval of a draft measure, **the legislation may not be modified or amended** prior to introduction in the next legislative session, except to the extent the interim committee has authorized the OLLS to update the bill summary and incorporate necessary technical changes or conforming amendments identified by the OLLS.

The timeline and procedures outlined in this memorandum are designed to ensure that interim committees have sufficient time to fully debate proposed legislation, review the actual wording of drafts, review and consider the fiscal impact of proposed legislation, and satisfy themselves that the interim committee legislation that is approved accurately reflects the conclusions and recommendations adopted by the interim committee. The deadlines and procedures will also assist the OLLS in providing the highest degree of professional drafting and advice, ensure adequate time for the LCS to prepare informative fiscal notes, and allow LCS to distribute the legislation drafts and fiscal notes to the interim committee members, and the final approved legislation to the Legislative Council, in advance of the interim committees' and Legislative Council's meetings.

Key Dates for 2024 Interim Committees

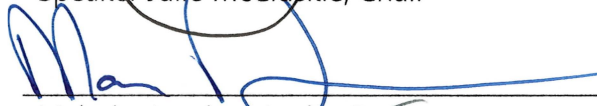
	Applicable Deadlines
Last date for meeting to request legislation	August 20, 2024
Deadline for submitting drafting information to OLLS	August 23, 2024 (if meeting to request legislation is held on August 20), or by 3 calendar days after meeting when legislation is requested for drafting
Last date to finalize legislation drafts (or date on which drafts are deemed finalized) for distribution to interim committee and release for fiscal analysis	September 10, 2024
Last date for meeting to approve final legislation drafts	October 1, 2024

⁵ With approval of the members of the interim committee, a legislator who is not a member of the interim committee may be designated as the sponsor of the legislation.

⁶ Except that, if prior to introduction a member resigns or otherwise is no longer a member, then the member's name will be removed as a prime sponsor, sponsor, or cosponsor. If prior to introduction a member is elected or appointed to the other chamber and the member was a prime sponsor the member will be removed as a prime sponsor. If prior to introduction a member is elected or appointed to the other chamber and the member was a sponsor or cosponsor the member's sponsorship or cosponsorship will be switched to the other chamber.



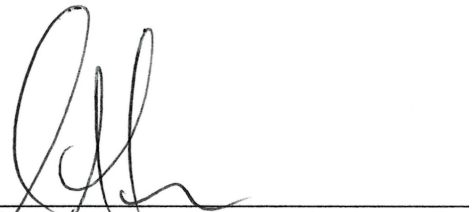
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