

## CHAPTER 179

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**ADMINISTRATIVE RULE REVIEW**

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**HOUSE BILL 12-1086**

BY REPRESENTATIVE(S) Gardner B., Labuda, Levy, Murray, Waller, Barker, Fields, Liston;  
also SENATOR(S) Morse, Brophy, Guzman, Roberts, Schwartz.

**AN ACT****CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON LEGAL SERVICES  
IN CONNECTION WITH LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE AGENCIES.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Rules and regulations scheduled for expiration May 15, 2012 - extension.** (1) Except as indicated, the expiration of all rules and regulations of agencies in the following principal departments, which rules and regulations were adopted or amended on or after November 1, 2010, and before November 1, 2011, and that are therefore scheduled for expiration May 15, 2012, is postponed, and the provisions of section 24-4-108 or 24-34-104, Colorado Revised Statutes, shall apply:

(a) Department of agriculture;

(b) Department of corrections;

(c) Department of education; except that the following rules of the state board of education concerning parental notification upon an arrest made or charges brought against school employee (1 CCR 301-83) are not extended:

(I) Rule 1.00, concerning definitions;

(II) Rule 2.00, concerning parental notification;

(III) Rule 3.00, concerning notification requirements;

(IV) Rule 4.00, concerning list of offenses requiring notification;

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(d) Department of health care policy and financing;

(e) Department of higher education;

(f) Department of human services; except that the following rule of the state board of human services, concerning rule manual volume 3, income maintenance, general requirements for citizenship and lawful presence (9 CCR 2503-1) is not extended: Rule 3.140.12 D. 14., concerning emergency applicants and crisis intervention program under the low-income energy assistance program (LEAP);

(g) Department of labor and employment;

(h) Department of law;

(i) Department of local affairs;

(j) Department of military and veterans affairs;

(k) Department of natural resources;

(l) Department of personnel; except that the following rules of the department of personnel concerning the address confidentiality program (1 CCR 103-6) are not extended:

(I) Rule 1.0, concerning introduction;

(II) Rule 2.0, concerning definitions;

(III) Rule 3.0, concerning application assistant designation;

(IV) Rule 4.0, concerning participant telephone number and address changes;

(V) Rule 5.0, concerning expedited release of participant information to criminal justice officials or agencies;

(VI) Rule 6.0, concerning public school enrollment and record transfers;

(m) Department of public health and environment;

(n) Department of public safety;

(o) Department of regulatory agencies;

(p) Department of revenue;

(q) Department of state;

(r) Department of transportation;

(s) Department of the treasury.

(2) The expiration of all rules and regulations of the public employees' retirement association, which rules and regulations were adopted or amended on or after November 1, 2010, and before November 1, 2011, and which are therefore scheduled for expiration May 15, 2012, is postponed.

(3) The expiration of all rules and regulations of the office of information technology, in the office of the governor, which rules and regulations were adopted or amended on or after November 1, 2010, and before November 1, 2011, and which are therefore scheduled for expiration May 15, 2012, is postponed.

(4) The recommendations of the committee on legal services as reflected in this act apply to the specified rules in the form in which said rules were considered and acted upon by the committee. Any amendments or other changes in the specified rules that became effective before November 1, 2011, that comply with the recommendations of the committee on legal services are not affected by this act. Any subsequent amendments or other changes in the specified rules that became effective on or after November 1, 2011, are not affected by this act.

(5) The automatic expiration of the rules of the state board of education, department of education, concerning the process for nonprobationary teacher to appeal second consecutive performance evaluation rating of ineffective or partially effective in the rules for administration of a statewide system to evaluate the effectiveness of licensed personnel employed by school districts and boards of cooperative services (1 CCR 301-87), which rules were adopted on April 11, 2012, and that are therefore scheduled for expiration May 15, 2013, is postponed, effective May 15, 2012.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 15, 2012