

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

INTRODUCED

LLS NO. 23-0649.01 Brita Darling x2241

SENATE BILL 23-102

SENATE SPONSORSHIP

Gardner and Rodriguez, Buckner

HOUSE SPONSORSHIP

Weissman and Soper, Snyder

Senate Committees

Legal Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTATION OF THE COMMITTEE ON LEGAL**
102 **SERVICES' RECOMMENDATIONS IN CONNECTION WITH**
103 **LEGISLATIVE REVIEW OF STATE AGENCIES' RULES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Committee on Legal Services. Based on the findings and recommendations of the committee on legal services, the bill extends all state agency rules that were adopted or amended on or after November 1, 2021, and before November 1, 2022, with the exception of certain rules of the following agencies, as specifically listed in the bill:

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

- The rule of the administrator of the uniform consumer credit code and commission on consumer credit concerning the "Colorado Student Loan Equity Act"; and
- The air quality control commission's rule concerning the control of lead hazards.

Those specified rules will expire as scheduled in the "State Administrative Procedure Act" on May 15, 2023, on the grounds that the rules conflict with statute.

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

2 **SECTION 1. Extension of rules scheduled for expiration May**
3 **15, 2023 - exceptions.** (1) Except as indicated, the expiration of all rules
4 of agencies in the following principal departments, which rules were
5 adopted or amended on or after November 1, 2021, and before November
6 1, 2022, and that are therefore scheduled for expiration May 15, 2023, is
7 postponed:

- 8 (a) Department of agriculture;
- 9 (b) Department of corrections;
- 10 (c) Department of early childhood;
- 11 (d) Department of education;
- 12 (e) Department of health care policy and financing;
- 13 (f) Department of higher education;
- 14 (g) Department of human services;
- 15 (h) Department of labor and employment;
- 16 (i) Department of law; except that the following rule of the
17 administrator for the uniform consumer credit code and commission on
18 consumer credit concerning the Colorado Student Loan Equity Act (4
19 CCR 902-3) is not extended: Rule 5.A., which states in part "Private
20 education lenders are not required to provide the information required in
21 section 5-20-203 (2)(b)(I), ...";

- 1 (j) Department of local affairs;
- 2 (k) Department of military and veterans affairs;
- 3 (l) Department of natural resources;
- 4 (m) Department of personnel;
- 5 (n) Department of public health and environment; except that the
- 6 following rule of the air quality control commission concerning the
- 7 control of lead hazards (5 CCR 1001-23) is not extended: Regulation
- 8 Number 19 Part A II.B.13.a.(iii), which states in part "is visited by the
- 9 same child on two or more days within any week, with each such visit
- 10 totaling three or more hours; ...";
- 11 (o) Department of public safety;
- 12 (p) Department of regulatory agencies;
- 13 (q) Department of revenue;
- 14 (r) Department of state;
- 15 (s) Department of transportation; and
- 16 (t) Department of the treasury.

17 (2) The expiration of all rules of the public employees' retirement
18 association, which rules were adopted or amended on or after November
19 1, 2021, and before November 1, 2022, and which are therefore scheduled
20 for expiration May 15, 2023, is postponed.

21 (3) The expiration of all rules of the board of equalization, which
22 rules were adopted or amended on or after November 1, 2021, and before
23 November 1, 2022, and which are therefore scheduled for expiration May
24 15, 2023, is postponed.

25 (4) The recommendations of the committee on legal services as
26 reflected in this act apply to the specified rules in the form in which the
27 rules were considered and acted upon by the committee. Any amendments

1 or other changes in the specified rules that became effective before
2 November 1, 2022, that comply with the recommendations of the
3 committee on legal services are not affected by this act. Any subsequent
4 amendments or other changes in the specified rules that became effective
5 on or after November 1, 2022, are not affected by this act.

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