

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0043.03 Bart Miller x2173

HOUSE BILL 16-1107

---

HOUSE SPONSORSHIP

Joshi, Humphrey, Landgraf

SENATE SPONSORSHIP

(None),

---

House Committees

State, Veterans, & Military Affairs

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING TIME FRAMES FOR DISCIPLINARY PROCEEDINGS WITHIN  
102 THE DEPARTMENT OF REGULATORY AGENCIES.

---

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://www.leg.state.co.us/billsummaries>.)*

Current law contains no time limitations for administrative complaints against persons regulated by the department of regulatory agencies. The bill enacts a 7-year time limit on administrative complaints against persons regulated by the department of regulatory agencies. The bill also requires the professions and occupations licensing authorities in the department of regulatory agencies to render a final decision in a

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

disciplinary proceeding against a person regulated by the department of regulatory agencies within 2 years after the making of a motion, commencement of an investigation, or filing of a complaint.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-4-102, **add** (13.5)  
3 as follows:

4 **24-4-102. Definitions.** As used in this article, unless the context  
5 otherwise requires:

6 (13.5) "PROFESSIONS AND OCCUPATIONS LICENSING AUTHORITY"  
7 MEANS ANY AGENCY IN THE DEPARTMENT OF REGULATORY AGENCIES.

8 **SECTION 2.** In Colorado Revised Statutes, 24-4-104, **add** (5.5)  
9 as follows:

10 **24-4-104. Licenses - issuance, suspension or revocation,**  
11 **renewal - department of regulatory agencies disciplinary proceedings**  
12 **- time frames.** (5.5) (a) (I) FOR A CLAIM BEFORE A PROFESSIONS AND  
13 OCCUPATIONS LICENSING AUTHORITY CONCERNING A PERSON EIGHTEEN  
14 YEARS OF AGE OR OLDER, A PROFESSIONS AND OCCUPATIONS LICENSING  
15 AUTHORITY SHALL MAKE A MOTION OR COMMENCE AN INVESTIGATION OR  
16 A PERSON SHALL FILE A COMPLAINT WITHIN SEVEN YEARS AFTER THE  
17 ALLEGED ACTION OR FAILURE TO ACT.

18 (II) FOR A CLAIM BEFORE A PROFESSIONS AND OCCUPATIONS  
19 LICENSING AUTHORITY CONCERNING A PERSON UNDER EIGHTEEN YEARS OF  
20 AGE, THE PROFESSIONS AND OCCUPATIONS LICENSING AUTHORITY SHALL  
21 MAKE A MOTION OR COMMENCE AN INVESTIGATION OR A PERSON SHALL  
22 FILE A COMPLAINT WITHIN SEVEN YEARS AFTER THE PERSON'S EIGHTEENTH  
23 BIRTHDAY.

24 (b) THE PROFESSIONS AND OCCUPATIONS LICENSING AUTHORITY

1 SHALL RENDER A FINAL DECISION WITHIN TWO YEARS AFTER THE MAKING  
2 OF A MOTION, COMMENCING OF AN INVESTIGATION, OR FILING OF A  
3 COMPLAINT.

4 **SECTION 3. Act subject to petition - effective date -**  
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
6 the expiration of the ninety-day period after final adjournment of the  
7 general assembly (August 10, 2016, if adjournment sine die is on May 11,  
8 2016); except that, if a referendum petition is filed pursuant to section 1  
9 (3) of article V of the state constitution against this act or an item, section,  
10 or part of this act within such period, then the act, item, section, or part  
11 will not take effect unless approved by the people at the general election  
12 to be held in November 2016 and, in such case, will take effect on the  
13 date of the official declaration of the vote thereon by the governor.

14 (2) This act applies to disciplinary proceedings before agencies in  
15 the department of regulatory agencies on or after the applicable effective  
16 date of this act.