

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

INTRODUCED

LLS NO. 17-0578.01 Kate Meyer x4348

SENATE BILL 17-002

SENATE SPONSORSHIP

Martinez Humenik, Grantham

HOUSE SPONSORSHIP

(None),

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE COMPULSORY REVIEW OF RULES BY EACH PRINCIPAL**
102 **DEPARTMENT, AND, IN CONNECTION THEREWITH, ESTABLISHING**
103 **A TRIENNIAL BASIS FOR EACH REVIEW TO BE CONDUCTED.**

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>.)

Current law requires each principal department to review all of its rules, in accordance with a schedule established by the department of regulatory agencies (DORA), to assess, among other things, the continuing need and cost-effectiveness of each rule. The bill repeals the DORA schedule-setting and instead requires a review and supplemental

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.

update to be completed every 3 years, commencing in 2017. Thereafter, the bill imposes a triennial schedule for reviews to be conducted.

The bill further specifies that the public and certain state agencies must be accorded no fewer than 14 business days to provide input regarding an agency's rules during its review, and that any input received must be attached to the report setting forth the results of the rule reviews included in each agency's departmental regulatory agenda.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-4-103.3, **amend**
3 (1) introductory portion, (2), and (4); and **repeal** (3) as follows:

4 **24-4-103.3. Compulsory review of rules by principal**
5 **departments - deadlines - report on results of review in departmental**
6 **regulatory agendas.** (1) ~~The department of regulatory agencies shall~~
7 ~~establish a schedule, in consultation with each principal department, for~~
8 ~~the review of all of the rules for each principal department.~~ COMMENCING
9 IN 2017, AND TRIENNIALLY THEREAFTER, each principal department shall
10 conduct a review of all of its rules to assess the continuing need for and
11 the appropriateness and cost-effectiveness of its rules to determine if they
12 should be continued in their current form, modified, or repealed. THE
13 REVIEW REQUIRED BY THIS SUBSECTION (1) MUST BE COMPLETED PRIOR TO
14 NOVEMBER 1 SO THE RESULTS MAY BE REPORTED PURSUANT TO
15 SUBSECTION (4) OF THIS SECTION. ON OR BEFORE DECEMBER 31, 2017,
16 AND ON OR BEFORE DECEMBER 31 EVERY THREE YEARS THEREAFTER,
17 EACH PRINCIPAL DEPARTMENT SHALL ALSO PROVIDE AN UPDATE TO THAT
18 YEAR'S REVIEW OF RULES, INDICATING ANY MODIFICATIONS TO THE
19 REPORT FILED UNDER SUBSECTION (4) OF THIS SECTION. IN ADDITION TO
20 TAKING INTO ACCOUNT ANY INPUT RECEIVED PURSUANT TO SUBSECTION
21 (2) OF THIS SECTION, the applicable rule-making agency or official in the
22 principal department shall consider the following:

1 (2) Each rule-making agency or official shall provide public
2 notice on the agency's official website of its review of the rules; give the
3 public an appropriate opportunity, CONSISTING OF NO FEWER THAN
4 FOURTEEN BUSINESS DAYS, to provide input ON THE RULES; and notify
5 other state agencies that may have jurisdiction over the subject matter of
6 the rules to allow for collaboration and input. Based on ~~this~~ ITS review
7 AND TAKING INTO CONSIDERATION ANY INPUT RECEIVED, the rule-making
8 agency or official shall determine whether the existing rules should be
9 continued in their current form, amended, or repealed. If the rule-making
10 agency or official decides that a rule should be amended or repealed, the
11 rule-making agency or official shall comply with the notice and hearing
12 requirements of section 24-4-103.

13 ~~(3) The department of regulatory agencies shall not schedule~~
14 ~~mandatory review under this section during the year of and during the~~
15 ~~year following any scheduled sunset review conducted by the department~~
16 ~~of regulatory agencies pursuant to section 24-34-104.~~

17 (4) Each principal department shall include a report on the results
18 of its ~~mandatory~~ COMPULSORY review of rules, WHICH REPORT MUST
19 ATTACH ANY INPUT FROM THE PUBLIC OR OTHER STATE AGENCIES
20 RECEIVED PURSUANT TO SUBSECTION (2) OF THIS SECTION, as part of its
21 departmental regulatory agenda that it submits to the staff of the
22 legislative council for distribution to the applicable committee of
23 reference of the general assembly as outlined in section 2-7-203 ~~C.R.S.~~
24 AND SHALL POST THE UPDATE TO EACH REPORT ON THE PRINCIPAL
25 DEPARTMENT'S OFFICIAL WEBSITE.

26 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.