

CHAPTER 226

ADMINISTRATIVE RULE REVIEW

SENATE BILL 08-075

BY SENATOR(S) Veiga, and Brophy;
also REPRESENTATIVE(S) McGihon, Gardner B., Levy, and Roberts.

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, 2008 - extension - exceptions. (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, 2006, and before November 1, 2007, and that are therefore scheduled for expiration May 15, 2008, 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 are not extended:

(I) The following rules of the state board of education concerning administration of the educator licensing act of 1991 (1 CCR 301-37):

(A) Rule 2260.5-R-3.03 (2) (a), concerning providing documented evidence of successful completion of an alternative principal program;

(B) Rule 2260.5-R-3.06 (1) (a), concerning holding a valid initial principal license and holding an earned masters degree;

(C) Rule 2260.5-R-3.06 (1) (c), concerning applicants for professional licenses

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

need not complete an approved induction program as an initial principal licensee;

(D) Rule 2260.5-R-3.07 (1) (d), concerning applicants for professional licenses need not complete an approved induction program as an initial administrator licensee;

(E) Rule 2260.5-R-4.13 (4) (c), concerning being approved for a temporary educator eligibility (TEE) authorization, based on evidence which documents compliance with specified requirements;

(F) Rule 2260.5-R-4.17 (7), concerning a candidate who meets all requirements for an interim principal license, upon successful completion of an alternative principal preparation program;

(G) Rule 2260.5-R-15.00 (2) (d), concerning a license may be denied, suspended or revoked when the applicant or holder is or has ever been convicted of, pleads or has ever pled nolo contendere to or receives or has ever received a deferred sentence;

(H) Rule 2260.5-R-15.00 (2) (j), concerning a license may be suspended when the holder, without good cause, resigns or abandons his or her contracted position with a school district or fails or refuses to perform required services pursuant to an employment contract with a school district;

(II) The following rule of the state board of education concerning administration of the public school finance act of 1994 (1 CCR 301-39): Rule 2254-R-5.19 (3), concerning an eligible school district that had contracted with a community college to implement a dual degree program within two years preceding the effective date of the fast college fast jobs education program may continue to count any pupils enrolled in that program regardless of their grade;

(d) Department of health care policy and financing;

(e) Department of higher education;

(f) Department of human services; except that the following rules of the state board of human services concerning the traumatic brain injury program are not extended (12 CCR 2512-2):

(I) Rule 12.540 C., concerning program services shall only be provided, as necessary, for a period of one year;

(II) Rule 12.540 D., concerning contractors shall provide program services;

(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;

(m) Department of public health and environment;

(n) Department of public safety;

(o) Department of regulatory agencies;

(p) Department of revenue; except that the following rules are not extended:

(I) The following rule of the division of motor vehicles concerning depot license plates (1 CCR 204-14): Rule 2.4, concerning depot plates shall be limited to one plate per mechanic or service technician;

(II) The following rule of the division of motor vehicles concerning transporter license plates (1 CCR 204-14): Rule 2.4, concerning false information on the application or renewal request may result in denial of the application;

(III) The following rule of the Colorado lottery commission concerning general rules and regulations (1 CCR 206-1): Rule 12.2, concerning commission compensation;

(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, 2006, and before November 1, 2007, and which are therefore scheduled for expiration May 15, 2008, is postponed.

(3) The expiration of all rules and regulations of the office of the chief information security officer, in the office of the governor, which rules and regulations were adopted or amended on or after November 1, 2006, and before November 1, 2007, and which are therefore scheduled for expiration May 15, 2008, is postponed.

(4) (a) Rule 2260.5-R-3.07 (1), concerning a professional administrator license may be issued to an applicant, of rules of the state board of education, department of education, on administration of the educator licensing act of 1991 (1 CCR 301-37), is repealed, effective May 15, 2008.

(b) Rule 2260.5-R-4.17 (1), concerning completion of a teacher or special services provider preparation program, of rules of the state board of education, department of education, on administration of the educator licensing act of 1991 (1 CCR 301-37), is repealed, effective May 15, 2008.

(c) Rule 2260.5-R-4.17 (2), concerning providing documented evidence of three or more years of full-time successful experience as an unlicensed teacher or special services provider, of rules of the state board of education, department of education, on administration of the educator licensing act of 1991 (1 CCR 301-37), is repealed, effective May 15, 2008.

(d) Rule 2260.5-R-4.17 (3), concerning providing documented evidence of three or more years of full-time successful management experience in (e.g.) business, industry, government, the military, or non-public education, of rules of the state board of education, department of education, on administration of the educator licensing act of 1991 (1 CCR 301-37), is repealed, effective May 15, 2008.

(5) The recommendations of the committee on legal services as reflected in this act shall 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, 2007, 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, 2007, are not affected by this act.

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 14, 2008