

## CHAPTER 110

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**GOVERNMENT - STATE**

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**SENATE BILL 13-030**

BY SENATOR(S) Scheffel;

also REPRESENTATIVE(S) Nordberg, Holbert, Labuda, Lawrence, Rankin.

**AN ACT**

**CONCERNING AN ADDITIONAL REVIEW OF RULES PROMULGATED PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT" BY COMMITTEES OF REFERENCE OF THE GENERAL ASSEMBLY.**

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

**SECTION 1.** In Colorado Revised Statutes, 24-4-103, **amend** (2.5) (a) introductory portion; and **add** (8) (e) as follows:

**24-4-103. Rule-making - procedure - definitions - repeal.** (2.5) (a) At the time of filing a notice of proposed rule-making with the secretary of state as the secretary may require, an agency shall submit a draft of the proposed rule or the proposed amendment to an existing rule and a statement, in plain language, concerning the subject matter or purpose of the proposed rule or amendment to the office of the executive director in the department of regulatory agencies. The executive director, or his or her designee, may determine if the proposed rule or amendment may have a negative impact on economic competitiveness or on small business in Colorado. If the executive director, or his or her designee, determines that the proposed rule or amendment may have such negative impact, he or she may direct the submitting agency to perform a cost-benefit analysis of the rule or amendment. If the executive director, or his or her designee, makes such a request, it shall be made at least twenty days before the date of the hearing on the rule or amendment. The agency receiving such request shall complete a cost-benefit analysis at least five days before the hearing on the rule or amendment, shall make the analysis available to the public, **SHALL POST THE ANALYSIS ON THE AGENCY'S OFFICIAL WEB SITE, and shall submit a copy to the executive director or his or her designee.** ~~THE EXECUTIVE DIRECTOR OR HIS OR HER DESIGNEE SHALL POST THE ANALYSIS ON THE DEPARTMENT OF REGULATORY AGENCIES' OFFICIAL WEB SITE.~~ Failure to complete a requested cost-benefit analysis pursuant to this subsection (2.5) shall preclude the adoption of such rule or amendment. Such cost-benefit analysis shall include the following:

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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.*

(8)(e) FOR RULES ADOPTED ON OR AFTER NOVEMBER 1, 2013, THE STAFF OF THE COMMITTEE ON LEGAL SERVICES SHALL IDENTIFY THE RULES THAT WERE ADOPTED DURING EACH APPLICABLE ONE-YEAR PERIOD AS A RESULT OF LEGISLATION ENACTED DURING ANY LEGISLATIVE SESSION, REGULAR OR SPECIAL, COMMENCING ON OR AFTER JANUARY 1, 2013. AFTER SUCH RULES HAVE BEEN IDENTIFIED, THE STAFF OF THE COMMITTEE ON LEGAL SERVICES SHALL NOTIFY IN WRITING ANY PRIME SPONSORS AND COSPONSORS OF THE ENACTED LEGISLATION WHO ARE STILL SERVING IN THE GENERAL ASSEMBLY, AND THE CURRENT MEMBERS OF THE APPLICABLE COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES FOR THAT ENACTED LEGISLATION THAT A RULE HAS BEEN ADOPTED AS A RESULT OF THE LEGISLATION.

**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: April 8, 2013