

CHAPTER 85

HEALTH AND ENVIRONMENT

SENATE BILL 13-152

BY SENATOR(S) Aguilar, Carroll, Guzman, Jones, Kefalas, Nicholson, Schwartz, Todd;
also REPRESENTATIVE(S) May, Hamner, Labuda, Moreno, Young.

AN ACT

CONCERNING THE CONTINUATION OF THE ASBESTOS ABATEMENT CERTIFICATION PROCESS CONDUCTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE DEPARTMENT OF REGULATORY AGENCIES' RECOMMENDATIONS IN THE 2012 SUNSET REPORT.

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

SECTION 1. In Colorado Revised Statutes, 24-34-104, **amend** (44) introductory portion and (53.5) introductory portion; **repeal** (44) (n); and **add** (53.5) (c) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (44) The following agencies, functions, or both, ~~shall~~ terminate on July 1, 2013:

(n) ~~The certification of persons in connection with the control of asbestos pursuant to part 5 of article 7 of title 25, C.R.S.;~~

(53.5) The following agencies, functions, or both, ~~shall~~ terminate on September 1, 2022:

(c) THE CERTIFICATION OF PERSONS IN CONNECTION WITH THE CONTROL OF ASBESTOS PURSUANT TO PART 5 OF ARTICLE 7 OF TITLE 25, C.R.S.

SECTION 2. In Colorado Revised Statutes, **amend** 25-7-512 as follows:

25-7-512. Repeal of part. This part 5 is repealed, effective July 1, 2013. ~~Prior to such~~ SEPTEMBER 1, 2022. ~~BEFORE THE~~ repeal, the DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE functions of the division under this part 5 ~~shall be~~

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

reviewed as provided for in section 24-34-104, C.R.S.

SECTION 3. In Colorado Revised Statutes, **add 25-7-509.5** as follows:

25-7-509.5. Building permits. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, A LOCAL GOVERNMENT ENTITY WITH AUTHORITY TO ISSUE BUILDING PERMITS SHALL REQUIRE A PROPERTY OWNER APPLYING FOR EITHER A PERMIT TO RENOVATE PROPERTY OR A PERMIT TO DEMOLISH PROPERTY TO DISCLOSE, ON THE PERMIT APPLICATION FORM, WHETHER THE PROPERTY OWNER KNOWS IF THE PROPERTY HAS BEEN INSPECTED FOR ASBESTOS.

(2) (a) A LOCAL GOVERNMENT ENTITY WITH AUTHORITY TO ISSUE BUILDING PERMITS NEED NOT UPDATE ITS APPLICATION FORMS TO INCLUDE THE DISCLOSURE REQUIRED BY SUBSECTION (1) OF THIS SECTION UNTIL THE ENTITY OTHERWISE CREATES AND DISSEMINATES UPDATED APPLICATION FORMS PURSUANT TO ITS STANDARD PRACTICE. THE LOCAL GOVERNMENT ENTITY NEED NOT REQUIRE A PROPERTY OWNER APPLYING FOR A PERMIT TO RENOVATE OR DEMOLISH PROPERTY TO MAKE THE DISCLOSURE REQUIRED BY SUBSECTION (1) OF THIS SECTION UNTIL IT HAS UPDATED ITS APPLICATION FORMS.

(b) WHEN UPDATING THE APPLICATION FORM FOR A PERMIT TO RENOVATE PROPERTY OR A PERMIT TO DEMOLISH PROPERTY, THE LOCAL GOVERNMENT ENTITY SHALL INCLUDE ON THE APPLICATION FORM SUBSTANTIALLY THE FOLLOWING INFORMATION:

I DO NOT KNOW IF AN ASBESTOS INSPECTION HAS BEEN CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT.

AN ASBESTOS INSPECTION HAS BEEN CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT ON OR ABOUT:

(DATE)

AN ASBESTOS INSPECTION HAS NOT BEEN CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT.

SECTION 4. 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: March 29, 2013