

## CHAPTER 200

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**ADMINISTRATIVE RULE REVIEW**

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**HOUSE BILL 14-1123**

BY REPRESENTATIVE(S) Labuda, Foote, Gardner, Kagan, Scott, Buckner, Fields, Hullinghorst, Schafer, Conti, Duran;  
also SENATOR(S) Brophy, Guzman, Johnston, Roberts, Steadman.

**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, 2014 - extension.** (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, 2012, and before November 1, 2013, and that are therefore scheduled for expiration May 15, 2014, 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 accreditation of school districts (1 CCR 301-1):

(A) Rule 3.02, concerning each contract shall have a term of one year and shall be automatically renewed;

(B) Rule 5.03, concerning a district's or the institute's failure to comply with the department's statewide assessment administration and security policies and procedures;

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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.*

(C) Rule 10.01 (B), concerning a public school's failure to comply with the department's statewide assessment administration and security policies and procedures;

(II) The following rule of the state board of education concerning administration of the exceptional children's educational act (1 CCR 301-8): Rule 3.04 (2), concerning temporary teacher eligibility (TTE);

(d) Department of health care policy and financing; except that the following rules of the medical services board concerning medical assistance (10 CCR 2505-10) are not extended:

(I) Rule 8.550.4.C, concerning hospice services benefit coverage standard;

(II) Rule 8.200.3.D 2, concerning speech - language and hearing services benefit coverage standard;

(e) Department of higher education;

(f) Department of human services;

(g) Department of labor and employment;

(h) Department of law;

(i) Department of local affairs; except that the following rule of the state board of housing, division of housing, concerning resolution No. 38 - manufactured housing installations (8 CCR 1302-7) is not extended: Section 12, concerning certificate of installation insignia;

(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; except that the following rules are not extended:

(I) The following rule of the Colorado state patrol, concerning the permitting, routing and transportation of hazardous and nuclear materials - part III - hazardous materials route designation (8 CCR 1507-25): Rule HMR 8 C, concerning while generally required to employ designated state, federal and interstate roadways, transporters of gasoline, diesel fuel, and liquefied petroleum may routinely travel;

(II) The following rule of the director of the division of fire prevention and control, concerning building, fire, and life safety code enforcement and certification of inspectors for health facilities licensed by the state of Colorado - Article 10 - building code and fire code inspector qualification (8 CCR 1507-31): Rule 10.1.3 F, concerning third-party inspectors contracted by the business entity must attest that

inspections are complete and all violations are corrected;

(o) Department of regulatory agencies;

(p) Department of revenue; except that the following rule of the Colorado racing commission, concerning racing - chapter 5, veterinary practices, animal health and medication (1 CCR 208-1) is not extended: Rule 5.441 in its entirety, concerning penalties for individuals found guilty of medication and drug violations;

(q) Department of state; except that the following rule of the secretary of state concerning administration of the "Colorado Charitable Solicitations Act" (8 CCR 1505-9) is not extended: Rule 1.17, concerning "sole responsibility";

(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, 2012, and before November 1, 2013, and which are therefore scheduled for expiration May 15, 2014, is postponed.

(3) The recommendations of the committee on legal services as reflected in this act 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, 2013, 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, 2013, are not affected by this act.

(4) The following rule of the medical services board of the department of health care policy and financing concerning medical assistance (10 CCR 2505-10) is repealed, effective May 15, 2014: Rule 8.010, which rule was adopted on April 13, 2012, concerning medical assistance benefit coverage standards.

**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 15, 2014