

SB104 L.006

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB19-104 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add article 99 to  
4 title 22 as follows:

5 **ARTICLE 99**

6 **Eliminate Duplicate Regulations**

7 **22-99-101. Elimination of duplicate regulations commission -**  
8 **creation - definition.** (1) THERE IS CREATED IN THE DEPARTMENT OF  
9 EDUCATION THE ELIMINATION OF DUPLICATE REGULATIONS COMMISSION,  
10 REFERRED TO IN THIS ARTICLE 99 AS THE "COMMISSION".

11 (2) THE COMMISSION CONSISTS OF:

12 (a) THE COMMISSIONER OF EDUCATION, OR HIS OR HER DESIGNEE;

13 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
14 SERVICES, OR HIS OR HER DESIGNEE;

15 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
16 HEALTH AND ENVIRONMENT, OR HIS OR HER DESIGNEE; AND

17 (d) AT LEAST THREE PRACTITIONERS, APPOINTED BY THE  
18 COMMISSIONER OF EDUCATION, WHOSE PROGRAMS ARE IN GOOD LICENSING  
19 STANDING WITH THE DEPARTMENT OF HUMAN SERVICES AND ARE  
20 OPERATED BY, OR ON BEHALF OF, A SCHOOL DISTRICT, DISTRICT CHARTER  
21 SCHOOL, OR INSTITUTE CHARTER SCHOOL.

22 (3) FOR PURPOSES OF THIS ARTICLE 99, UNLESS THE CONTEXT  
23 OTHERWISE REQUIRES, "PROGRAM" MEANS A SCHOOL-AGED CHILD CARE  
24 PROGRAM THAT HOLDS A LICENSE PURSUANT TO PART 1 OF ARTICLE 6 OF  
25 TITLE 26, INCLUDING A BEFORE AND AFTER SCHOOL PROGRAM, DAY CAMP,  
26 SUMMER CAMP, EXTENDED DAY PROGRAM, OR PLAYGROUND PROGRAM,  
27 AND OPERATES ON THE PROPERTY OF A SCHOOL DISTRICT, DISTRICT  
28 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL.

29 **22-99-102. Duties.** (1) THE COMMISSION SHALL:

30 (a) ANALYZE AND IDENTIFY DUPLICATE REGULATIONS  
31 PROMULGATED BY THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF  
32 HUMAN SERVICES, AND THE DEPARTMENT OF PUBLIC HEALTH AND  
33 ENVIRONMENT RELATING TO HEALTH AND SAFETY REQUIREMENTS FOR  
34 PROGRAMS, INCLUDING, WITHOUT LIMITATION, THE ACTIVE OVERSIGHT  
35 AND MONITORING OF SUCH PROGRAMS; AND

36 (b) IDENTIFY WHICH REGULATIONS DESCRIBED IN SUBSECTION  
37 (1)(a) OF THIS SECTION MAY BE ELIMINATED, REVISED, OR DELEGATED TO  
38 THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HUMAN SERVICES,  
39 OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO  
40 ELIMINATE DUPLICATE REGULATIONS AND ENSURE THE EFFICIENT  
41 REGULATION OF THE HEALTH AND SAFETY REQUIREMENTS FOR PROGRAMS.

1           (2) WHEN PERFORMING THE DUTIES IN SUBSECTION (1) OF THIS  
2 SECTION, THE COMMISSION SHALL:

3           (a) CONSIDER AND PRIORITIZE ORAL AND WRITTEN PUBLIC  
4 TESTIMONY;

5           (b) CONSIDER AND PRIORITIZE UPDATING REGULATIONS  
6 CONSISTENT WITH EVIDENCE-BASED RESEARCH REGARDING THE HEALTH  
7 AND SAFETY OF CHILDREN; AND

8           (c) CONSIDER AND PRIORITIZE UPDATING REGULATIONS TO ALIGN  
9 WITH REQUIREMENTS FOR FEDERAL FUNDING ELIGIBILITY.

10          (2) ON OR BEFORE JUNE 30, 2020, THE DEPARTMENT OF  
11 EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, AND THE  
12 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL COMMENCE  
13 RESPECTIVE RULE-MAKING PROCEEDINGS CONSISTENT WITH THE  
14 OUTCOMES OF THE COMMISSION.

15          **22-99-103. Repeal of article.** THIS ARTICLE 99 IS REPEALED,  
16 EFFECTIVE JULY 1, 2021.

17          **SECTION 2. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly (August  
20 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
21 referendum petition is filed pursuant to section 1 (3) of article V of the  
22 state constitution against this act or an item, section, or part of this act  
23 within such period, then the act, item, section, or part will not take effect  
24 unless approved by the people at the general election to be held in  
25 November 2020 and, in such case, will take effect on the date of the  
26 official declaration of the vote thereon by the governor."

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