

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0670.01 Esther van Mourik x4215

SENATE BILL 13-030

SENATE SPONSORSHIP

Scheffel,

HOUSE SPONSORSHIP

Nordberg,

Senate Committees
State, Veterans, & Military Affairs

House Committees
State, Veterans, & Military Affairs

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

For rules adopted on or after November 1, 2013, the staff of the committee on legal services are required to identify the rules that were adopted during each applicable one-year period as a result of legislation enacted during any legislative session commencing on or after January 1,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
March 26, 2013

SENATE
3rd Reading Unamended
February 12, 2013

SENATE
2nd Reading Unamended
February 11, 2013

2013. After such rules have been identified, the staff of the committee on legal services are required to 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.

The bill also requires the posting of a completed cost-benefit analysis on the official web sites of the agencies completing the cost-benefit analysis and the official web site of the department of regulatory agencies.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-4-103, **amend**
3 (2.5) (a) introductory portion; and **add** (8) (e) as follows:

4 **24-4-103. Rule-making - procedure - definitions - repeal.**

5 (2.5) (a) At the time of filing a notice of proposed rule-making with the
6 secretary of state as the secretary may require, an agency shall submit a
7 draft of the proposed rule or the proposed amendment to an existing rule
8 and a statement, in plain language, concerning the subject matter or
9 purpose of the proposed rule or amendment to the office of the executive
10 director in the department of regulatory agencies. The executive director,
11 or his or her designee, may determine if the proposed rule or amendment
12 may have a negative impact on economic competitiveness or on small
13 business in Colorado. If the executive director, or his or her designee,
14 determines that the proposed rule or amendment may have such negative
15 impact, he or she may direct the submitting agency to perform a
16 cost-benefit analysis of the rule or amendment. If the executive director,
17 or his or her designee, makes such a request, it shall be made at least
18 twenty days before the date of the hearing on the rule or amendment. The
19 agency receiving such request shall complete a cost-benefit analysis at
20 least five days before the hearing on the rule or amendment, shall make

1 the analysis available to the public, SHALL POST THE ANALYSIS ON THE
2 AGENCY'S OFFICIAL WEB SITE, and shall submit a copy to the executive
3 director or his or her designee. THE EXECUTIVE DIRECTOR OR HIS OR HER
4 DESIGNEE SHALL POST THE ANALYSIS ON THE DEPARTMENT OF
5 REGULATORY AGENCIES' OFFICIAL WEB SITE. Failure to complete a
6 requested cost-benefit analysis pursuant to this subsection (2.5) shall
7 preclude the adoption of such rule or amendment. Such cost-benefit
8 analysis shall include the following:

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

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.