

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 14-0359.01 Debbie Haskins x2045

HOUSE BILL 14-1123

HOUSE SPONSORSHIP

Labuda, Foote, Gardner, Kagan, Scott

SENATE SPONSORSHIP

Brophy, Guzman, Johnston, Roberts, Steadman

House Committees
Legal Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE**
102 **COMMITTEE ON LEGAL SERVICES IN CONNECTION WITH**
103 **LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE**
104 **AGENCIES.**

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>.)

Committee on Legal Services. Based on the findings and recommendations of the committee on legal services, the bill extends all

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
3rd Reading Unamended
March 12, 2014

HOUSE
2nd Reading Unamended
March 10, 2014

state agency rules and regulations that were adopted or amended on or after November 1, 2012, and before November 1, 2013, with the exception of the rules and regulations specifically listed in the bill. Those specified rules and regulations will expire as scheduled in the "State Administrative Procedure Act" on May 15, 2014, on the grounds that the rules and regulations either conflict with statute or lack or exceed statutory authority.

The bill repeals, effective May 15, 2014, a rule of the medical services board of the department of health care policy and financing concerning medical assistance benefit coverage standards.

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

2 **SECTION 1. Rules and regulations scheduled for expiration**

3 **May 15, 2014 - extension.** (1) Except as indicated, the expiration of all
4 rules and regulations of agencies in the following principal departments,
5 which rules and regulations were adopted or amended on or after
6 November 1, 2012, and before November 1, 2013, and that are therefore
7 scheduled for expiration May 15, 2014, is postponed, and the provisions
8 of section 24-4-108 or 24-34-104, Colorado Revised Statutes, shall apply:

9 (a) Department of agriculture;

10 (b) Department of corrections;

11 (c) Department of education; except that the following rules are
12 not extended:

13 (I) The following rules of the state board of education concerning
14 administration of the accreditation of school districts (1 CCR 301-1):

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

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

20 (C) Rule 10.01 (B), concerning a public school's failure to comply

1 with the department's statewide assessment administration and security
2 policies and procedures;

3 (II) The following rule of the state board of education concerning
4 administration of the exceptional children's educational act (1 CCR
5 301-8): Rule 3.04 (2), concerning temporary teacher eligibility (TTE);

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

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

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

13 (e) Department of higher education;

14 (f) Department of human services;

15 (g) Department of labor and employment;

16 (h) Department of law;

17 (i) Department of local affairs; except that the following rule of
18 the state board of housing, division of housing, concerning resolution No.
19 38 - manufactured housing installations (8 CCR 1302-7) is not extended:
20 Section 12, concerning certificate of installation insignia;

21 (j) Department of military and veterans affairs;

22 (k) Department of natural resources;

23 (l) Department of personnel;

24 (m) Department of public health and environment;

25 (n) Department of public safety; except that the following rules
26 are not extended:

27 (I) The following rule of the Colorado state patrol, concerning the

1 permitting, routing and transportation of hazardous and nuclear materials
2 - part III - hazardous materials route designation (8 CCR 1507-25): Rule
3 HMR 8 C, concerning while generally required to employ designated
4 state, federal and interstate roadways, transporters of gasoline, diesel fuel,
5 and liquefied petroleum may routinely travel;

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

13 (III) The following rule of the executive director of the
14 department of public safety, Colorado bureau of investigation, concerning
15 evidence collection in connection with sexual assaults (8 CCR 1507-29):
16 The entire portion of the rule following the heading "CONSENT" and
17 preceding the heading "FORENSIC ANALYSIS";

18 (o) Department of regulatory agencies;

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

24 (q) Department of state; except that the following rules of the
25 secretary of state concerning administration of the "Colorado Charitable
26 Solicitations Act" (8 CCR 1505-9) are not extended:

27 (A) Rule 1.15, concerning "registered agent";

1 (B) Rule 1.17, concerning "sole responsibility";

2 (r) Department of transportation;

3 (s) Department of the treasury.

4 (2) The expiration of all rules and regulations of the public
5 employees' retirement association, which rules and regulations were
6 adopted or amended on or after November 1, 2012, and before November
7 1, 2013, and which are therefore scheduled for expiration May 15, 2014,
8 is postponed.

9 (3) The recommendations of the committee on legal services as
10 reflected in this act apply to the specified rules in the form in which said
11 rules were considered and acted upon by the committee. Any amendments
12 or other changes in the specified rules that became effective before
13 November 1, 2013, that comply with the recommendations of the
14 committee on legal services are not affected by this act. Any subsequent
15 amendments or other changes in the specified rules that became effective
16 on or after November 1, 2013, are not affected by this act.

17 (4) The following rule of the medical services board of the
18 department of health care policy and financing concerning medical
19 assistance (10 CCR 2505-10) is repealed, effective May 15, 2014: Rule
20 8.010, which rule was adopted on April 13, 2012, concerning medical
21 assistance benefit coverage standards.

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