

2020

Regulatory Agenda **Report**



COLORADO
Department of Local Affairs

Overview

Pursuant to Colo. Rev. Stat. §2-7-203(4), the Department of Local Affairs submits the following 2020 Regulatory Agenda Report. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda, this Regulatory Agenda Report details the results of the past year’s rules review activity, including the results of mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4) as part of the Department’s “Regulatory Efficiencies Reviews.”

This report includes the following items:

- “Rulemaking included in 2020 Regulatory Agenda,” providing an update of rules included in the Department’s 2020 Regulatory Agenda
- “Rulemaking not included in 2020 Regulatory Agenda,” providing a summary of rule activity not included in the 2020 Regulatory Agenda
- “Results of Mandatory Rules Review,” providing a summary of the activities and outcomes associated with the Department’s mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4)

Rulemaking included in 2020 Regulatory Agenda

Rule Number and Title	Division/ Board/ Program	New rule or revision?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
8 CCR 1302-14 Administrative Rules: Non-residential and Residential Factory-built Structures; Sellers of Manufactured Homes; Manufactured Home Installations; and Hotels, Motels, and Multi-Family Dwellings in	Division of Housing - Building Codes & Standards Section	Revision	C.R.S. 24-32-3305	Cleanup errors in rules and review for additional opportunities to create efficiencies and effectiveness in this industry after massive effort in 2017/2018 to consolidate five separate "resolutions" under one set of rules.	October 8, 2019	Stakeholders included the industry (Rocky Mountain Home Association, factories, sellers, installers) as well as local jurisdictions and other state agencies. Stakeholder meetings with the Technical Advisory Committee were	Adopted - October 8, 2019	Rule 1.23 was created; Rules 1.24 and 1.25 were renumbered; Rules 2.1 and 2.1.1.1 were amended; Rules 2.2, 2.2.1, and 2.2.2 were amended; Rules 2.2.25, 2.2.26, and 2.2.27 were created; Rule 2.4 was amended; Rules 2.5 and 2.5.2

those areas of the State where no Standards Exist						held on August 9th and 23rd.		were amended; Rule 2.6 was amended; Rules 2.7.1, 2.7.4, and 2.7.7 were amended; Rule 4.1 was amended; Rule 4.21 was amended; Rule 4.23 was amended; and Rule 4.24 was amended. These changes were adopted on October 8, 2019, and are effective November 30, 2019.
8 CCR 1302-14	Division of Housing - Building Codes & Standards Section	Revision	C.R.S. 24-32-3305	Discuss panel construction and other advancements in the factory-built structures industry and determine whether or not clarifying rules are needed to account for them.		Stakeholders included the industry (Rocky Mountain Home Association, factories, sellers, installers) as well as local jurisdictions and other state agencies.	Ongoing	Stakeholder meetings were delayed until the next fiscal year and will be reported in the 2021 Regulatory Agenda.
8 CCR 1307-1	Division of Local Government	Revision	C.R.S. 33-1-112.5(3)	The purpose of these rule changes is to clarify program information and amend references. None of these rule changes impact the		All Colorado Sheriff's Offices, All Colorado Search and Rescue programs, Colorado Search		Postponed due to COVID-19.

				program statute 33-1-112.5.		and Rescue Association		
8 CCR 1302-15	Division of Housing - Building Codes & Standards Section	New	C.R.S. 38-12-1104(2)(j)	To implement and clarify the Mobile Home Park Act, Title 38, Article 12, Part 2, C.R.S., and the Mobile Home Park Act Dispute Resolution And Enforcement Program, Title 38, Article 12, Part 11, C.R.S., pursuant to statutory authority and changes made through House Bill 19-1309 Creating the Mobile Home Park Act Dispute Resolution and Enforcement Program (effective May 23, 2019).		Mobile home park management and owners, mobile home owner tenants living in mobile home parks, local jurisdictions, landlord-tenant attorneys, and housing nonprofits.	Adopted - November 8, 2019	
8 CCR 1302-15	Division of Housing - Building Codes & Standards Section	Revision	C.R.S. 38-12-1104(2)(j)	To implement and clarify the Mobile Home Park Act and Program, Title 38, Article 12, Parts 2 and 11, C.R.S.		Mobile home park management and owners, mobile home owner tenants living in mobile home parks, local jurisdictions, landlord-tenant attorneys, and housing nonprofits.	Adopted - March 11, 2020	Created: Rules 1.3, 2.5.1(A) - (B), 3.3.2, 3.7, 3.8, 5.1.1 - 5.1.2, 5.2.1, 5.4, 6.2. Amended: Rules 1.4(I) - (J), 2.1, 2.2, 2.5.1, 3.2, 3.3, 3.3.1, 3.3.3, 4, 4.1 - 4.4 (restated statute), 5.1, 5.2, 5.3, 6.1. Renumbered: Rules 1.4, 2.1 - 2.5, 3.6, 5.1.3,

								6.1. Deleted: Rules 2.1 (restated statute).
8 CCR 1302-15	Division of Housing - Building Codes & Standards Section	Revision	C.R.S. 38-12-1104(2)(j)	To implement and clarify changes made through HB20-1196 Mobile Home Park Act Updates and HB20-1201 Mobile Home Park Residents Opportunity to Purchase (both effective June 30, 2020), and to set the 2021 mobile home park registration fee.		Mobile home park management and owners, mobile home owner tenants living in mobile home parks, local jurisdictions, landlord-tenant attorneys, and housing nonprofits.	Rulemaking hearing took place on 9/30/2020	
8 CCR 1302-16	Division of Housing	New	C.R.S. 24-32-717	To set the income limits for a low- or moderate-income family with regard to eligibility for housing produced with funds from the Housing Investment Trust Fund. To define a single person as an eligible entity for housing created with funds from the Housing Investment Trust Fund.		affordable housing developers; affordable housing potential residents	Adopted - August 11, 2020	

Rulemaking not included in 2020 Regulatory Agenda

Rule Number and Title	Division/ Board/ Program	New rule or revision?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
8 CCR 1301-1	Board of Assessment Appeals	Revision	C.R.S. 39-2-125(1)(a) and 39-2-127(4) and (5)	Update rules to create efficiencies and effectiveness after an internal process improvement review and prior to the development of a new electronic case management system		Colorado property taxpayers, tax agents, counties and the general public	Adopted - August 15, 2019	

Results of Mandatory Rules Review

Rule Number (CCR) and Title	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	If revisions/repeals are completed, identify the adopted date
N/A							

The Department has very few regulatory rules. As a result, all Divisions within the Department annually complete an internal review of all rules. Each Division maintains a statement on its web page that any comments to any rule will be accepted on an on-going basis.