



**COLORADO**  
Department of Revenue

# Colorado Department of Revenue

## 2021 Regulatory Agenda

(January 1, 2021 - December 31, 2021)

## 2020 Regualtory Agenda Report

(January 1, 2020 - December 31, 2020)

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# Taxation Division 2021 Regulatory Agenda

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| month    | (ex: 1 CCR 201-1, Rule #101)                              |                                | (ex: 2-3-401, C.R.S.)                               | X if yes                       | (Purpose for the change, ex: legislation)  |                                     |                          |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-103-1, Request for Hearing      | Revision                       | § 39-21-103 and 39-21-112(1), C.R.S.                | X                              | Eliminate parts of the existing rule that are redundant with the statute   | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-103-2, Assessments              | New                            | § 39-21-103, 39-21-112(1), and 39-22-103(1), C.R.S. |                                | Define the term "assessment" as it is used in article 21 of title 39 and to clarify procedures and requirements related thereto  | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-104, Rejection of Claims        | Repeal                         | § 39-21-104 and 39-21-112(1), C.R.S.                | X                              | Repeal rule because it is mostly duplicative of the statute  | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-105, Appeals                    | Repeal                         | § 39-21-105 and 39-21-112(1), C.R.S.                | X                              | Repeal rule because it is mostly duplicative of the statute  | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-105.5, Notices                  | Revision                       | § 39-21-105.5 and 39-21-112(1), C.R.S.              | X                              | Repeal language that is duplicative of the statute, clarify statutory requirements related to the issuance of notices, and advise taxpayers of their duty to notify the Department of changes to their mailing addresses | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-107, Limitations on Assessments | Repeal                         | § 39-21-107 and 39-21-112(1), C.R.S.                | X                              | Repeal rule because it is largely duplicative of the statute   | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-108, Refund Claims              | Revision                       | § 39-21-108 and 39-21-112(1), C.R.S.                | X                              | Repeal language that is duplicative of the statute and set forth requirements for filing a claim for refund  | All Taxpayers and Tax Practitioners | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-109, Interest on Amount Due     | Repeal                         | § 39-21-109 and 39-21-112(1), C.R.S.                | X                              | Repeal rule because it is duplicative of the statute   | All Taxpayers and Tax Practitioners | November 4, 2020         |

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| Jan.     | 1 CCR 201-1<br>Rule 39-21-109, Interest Discount   | New                            | § 39-21-109 and 39-21-112(1), C.R.S.   |                                | Clarify that a check returned to the Department of Revenue without payment does not constitute a payment sufficient to qualify for the 3% interest discount authorized by section 39-21-109(1.5), C.R.S. | All Taxpayers and Tax Practitioners           | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-113, Reports and Returns   | Repeal                         | § 39-21-113 and 39-21-112(1), C.R.S.   | X                              | Repeal rule because it is duplicative of the statute   | All Taxpayers and Tax Practitioners           | November 4, 2020         |
| Jan.     | 1 CCR 201-1<br>Rule 39-21-116.5, Penalties for Officers or Members                                       | New                            | § 39-21-101(4), 39-21-102(1), 39-21-112(1), and 39-21-116.5, C.R.S.                                    |                                | Clarify the liability for the penalty imposed by section 39-21-116.5, C.R.S., and establish requirements for the administration thereof  | All Taxpayers and Tax Practitioners           | November 4, 2020         |
| Jan.     | 1 CCR 201-2<br>Rule 39-22-303-1, Tax Period Subject to SB19-233  | New                            | § 39-21-112(1) and 39-22-303, C.R.S., and Senate Bill 19-233, 2019 Colo. Sess. Laws., ch. 397, sec. 3. |                                | Clarify the tax periods to which Senate Bill 19-233 will apply   | Corporate Income Taxpayers, Tax Practitioners | December 1, 2020         |
| Jan.     | 1 CCR 201-2<br>Rule 39-22-303(11)(f), Domestic C Corporations with De Minimis or No Property and Payroll | New                            | § 39-21-112(1) and 39-22-303, C.R.S.   |                                | Explain the manner in which the de minimis standard in section 39-22-303(11)(f), C.R.S., will be uniformly applied to taxpayers  | Corporate Income Taxpayers, Tax Practitioners | December 1, 2020         |
| Jan.     | 1 CCR 201-2<br>Rule 39-22-303(12)(c), Corporations Without Property and Payroll Factors                  | Repeal                         | § 39-21-112(1) and 39-22-303, C.R.S.   | X                              | Repeal the rule because the section 39-22-303 (12)(c), C.R.S., was repealed in SB19-233  | Corporate Income Taxpayers, Tax Practitioners | December 1, 2020         |

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| Mar.     | 1 CCR 201-5<br>Special Rule 2, Agricultural Products and Equipment        | Revision                       | § 39-21-112(1), 39-26-102(19), and 39-26-716, C.R.S.                     |                                | Conform to statutory changes made by HB19-1329 and HB19-1162   | Agricultural Businesses and Tax Practitioners                                  | December 8, 2020         |
| Mar.     | 1 CCR 201-4<br>Rule 39-26-717, Medical Material, Equipment, and Drugs     | Revision                       | § 39-21-112(1) and § 39-26-717, C.R.S.                                   |                                | Conform to statutory changes made by SB18-129  | All Retail Businesses, Medical Retailers, All Taxpayers, and Tax Practitioners | December 8, 2020         |
| Mar.     | 1 CCR 201-4<br>Rule 39-26-704-4, Sales Tax Exemptions for Hotel Residents | Revision                       | § 39-21-112(1), 39-26-102(11), 39-26-104(1)(f), and 39-26-704(3), C.R.S. |                                | Clarify the effect of House Bill 20-1020 and to explain the exemptions for long-term rentals of rooms and accommodations applicable to state and state-administered local sales taxes and the written agreement required for such exemptions | Lodging Retailers, Tax Practitioners   | December 8, 2020         |
| Mar.     | 1 CCR 201-2<br>Rule 39-22-522, Conservation Easement Credit               | Revision                       | § 39-21-112(1), 39-21-113, 39-22-522, and 39-22-522.5, C.R.S.            |                                | Conform to statutory changes made by HB19-1264   | All Taxpayers, Tax Practitioners   | December 8, 2020         |
| Mar.     | 1 CCR 201-2<br>Rule 39-22-104(3)(g), Gross Conservation Easement Addition | Revision                       | § 39-21-112(1), 39-22-104(3)(g), and 39-22-522, C.R.S.                   |                                | Conform to statutory changes made by HB19-1264   | All Taxpayers, Tax Practitioners   | December 8, 2020         |
| Mar.     | 1 CCR 201-2<br>Rule 39-22-304(2)(f), Gross Conservation Easement Addition | Revision                       | § 39-21-112(1), 39-22-304(2)(f), and 39-22-522, C.R.S.                   |                                | Conform to statutory changes made by HB19-1264   | All Taxpayers, Tax Practitioners   | December 8, 2020         |
| Mar.     | 1 CCR 201-2<br>Rule 39-22-538, Rural Primary Health Care Preceptor Credit | Revision                       | § 39-21-112(1) and 39-22-538, C.R.S.                                     |                                | Conform to statutory changes made by HB19-1088   | Rural Primary Health Care Preceptors and Tax Practitioners                     | December 8, 2020         |

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| Mar.     | 1 CCR 201-18<br>Rule 39-28.8-101, Retail Marijuana Definitions                        | Revision                       | § 39-21-112(1), 39-28.8-101, 39-28.8-205, and 39-28.8-308, C.R.S. |                                | Conform to statutory changes made by SB19-224  | Retail Marijuana Businesses and Tax Practitioners | December 8, 2020         |
| Mar.     | 1 CCR 201-7<br>Rule 39-28-104, Wholesaler's Service Fee                               | Revision                       | § 39-21-112(1), 39-28-104, and 39-28-109, C.R.S.                  |                                | Remove the requirement to file cigarette returns electronically because HB20-1175 statutorily requires electronic filing of cigarette returns and payment of cigarette tax by electronic funds transfer                      | Cigarette Retailers, Tax Practitioners            | December 8, 2020         |
| Mar.     | 1 CCR 201-7<br>Rule 39-28.5-106, Distributor's Service Fee                            | Revision                       | § 39-21-112(1), 39-28.5-106, C.R.S.                               |                                | Remove the requirement to file tobacco products returns electronically because HB20-1175 statutorily requires electronic filing of tobacco products returns and payment of tobacco products tax by electronic funds transfer | Tobacco Products Retailers, Tax Practitioners     | December 8, 2020         |
| Apr.     | 1 CCR 201-6<br>Rule 39-35-104, Aircraft Manufacturer New Employee Credit              | Revision                       | §39-21-112(1) and 39-35-104, C.R.S.                               |                                | Repeal current rule and update to clarify the calculation of the aircraft manufacturer new employee income tax credit  | Enterprise Zone Businesses and Administrators     | February 2, 2021         |
| Apr.     | 1 CCR 201-13<br>Rule 39-30-104, Enterprise Zone Investment Tax Credit                 | Revision                       | §39-21-112(1), 39-30-104, and 39-30-108(1), C.R.S.                |                                | Repeal rule and update to clarify the application of the enterprise zone investment tax credit   | Enterprise Zone Businesses and Administrators     | February 2, 2021         |
| Apr.     | 1 CCR 201-13<br>Rule 39-30-105, Enterprise Zone New Business Facility Employee Credit | Repeal                         | §39-21-112(1), 39-30-105, and 39-30-108(1), C.R.S.                |                                | Repeal rule because statutory section was repealed in 2019   | Enterprise Zone Businesses and Administrators     | February 2, 2021         |

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| Apr.     | 1 CCR 201-13<br>Rule 39-30-105.1, Enterprise Zone Business Facility Employee Credits                 | New                            | §39-21-112(1), 39-30-105.1, and 39-30-108(1), C.R.S.             |                                | Clarify the calculation of enterprise zone business facility employee credits.   | Enterprise Zone Businesses and Administrators  | February 2, 2021         |
| Apr.     | 1 CCR 201-13<br>Rule 39-30-105.6, Enterprise Zone Rehabilitation of Vacant Buildings                 | New                            | §39-21-112(1), 39-30-105.6, and 39-30-108(1), C.R.S.             |                                | Clarify requirements for the credit related to vacancy, commercial use, and pre-certification  | Enterprise Zone Businesses and Administrators  | February 2, 2021         |
| Apr.     | 1 CCR 201-13<br>Rule 39-30-106, Enterprise Zone Machinery and Machine Tools Sales Tax Exemption      | New                            | §39-21-112(1), 39-30-106, and 39-30-108(1), C.R.S.               |                                | Clarify the expansion of the sales tax exemption for machinery and machine tools used exclusively in an enterprise zone to include only those activities related directly to the mining of natural resources | Enterprise Zone Businesses and Administrators, Mining Businesses, Oil and Gas Businesses | February 2, 2021         |
| May      | 1 CCR 201-4<br>Rule 39-26-718, Charitable and Other Exempt Organizations                             | Revision                       | § 39-21-112(1), 39-26-102(2.5), 39-26-718, and 39-26-725, C.R.S. |                                | Conform to statutory changes made by HB19-1323   | Charitable Organizations, Tax Practitioners  | March 9, 2020            |
| May      | 1 CCR 201-4<br>Rule 39-26-102(7)-1, Purchase Price   | Revision                       | § 39-21-112(1), 39-26-102, and 39-26-104 C.R.S.                  |                                | Re-number the rule to accommodate an additional rule promulgated pursuant to the same statutory section  | All Taxpayers, Tax Practitioners   | March 9, 2020            |
| May      | 1 CCR 201-4<br>Rule 39-26-102(7)-2, Purchase Price Involving a Donation to a Charitable Organization | New                            | § 39-21-112(1), 39-21-113(1), 39-26-116, and 39-26-102(7)(a)     |                                | Establish the conditions under which a portion of a payment for a sale made by a charitable organization is considered a donation and therefore excluded from the taxable purchase price                     | Charitable Organizations, Tax Practitioners  | March 9, 2020            |

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| Jun.     | 1 CCR 201-2<br>Rule 39-22-303(10), Foreign Source Income                           | Revision                       | § 39-21-112(1) and 39-22-303(10), C.R.S.      | X                              | Prescribe rules for the determination of foreign source income considered in the calculation of Colorado corporate income tax  | Corporate Income Taxpayers, Tax Practitioners | April 1, 2020            |
| Jun.     | 1 CCR 201-2<br>Rule 39-22-304(3)(j), Corporate Subtraction for Section 78 Dividend | New                            | § 39-21-112(1) and 39-22-304(3)(j), C.R.S.    |                                | Clarify the application of section 39-22-304(3)(j), C.R.S., regarding the subtraction from federal taxable income of amounts treated as dividends pursuant section 78 of the Internal Revenue Code | Corporate Income Taxpayers, Tax Practitioners | April 1, 2020            |
| Jul.     | 1 CCR 201-2<br>Rule 39-22-504-1, Colorado Net Operating Losses                     | Revision                       | § 39-21-112(1) and 39-22-504, C.R.S.          |                                | Repeal current rule and update to clarify the application of the net operating loss deduction for individuals, estates, and trusts   | Income Taxpayers, Tax Practitioners           | May 4, 2020              |
| Jul.     | 1 CCR 201-2<br>Rule 39-22-504-2, C Corporation Net Operating Loss                  | Revision                       | § 39-21-112(1) and 39-22-504, C.R.S.          | X                              | Repeal current rule and update to clarify the application of the net operating loss deduction for C corporations   | Corporate Income Taxpayers, Tax Practitioners | May 4, 2020              |
| Dec.     | 1 CCR 201-1<br>Rule 39-21-119.5, Mandatory Electronic Filing of Returns            | New                            | § 39-21-112(1) and 39-21-119.5, C.R.S.        |                                | Clarify electronic filing and payment requirements, penalties imposed for failure to comply therewith, and waivers therefrom   | All Taxpayers, Tax Practitioners              | October 5, 2020          |
| Dec.     | 1 CCR 201-1<br>Special Rule 1, Electronic Funds Transfer                           | Repeal                         | § 39-21-112(1) and 39-21-119.5, C.R.S.        |                                | Repeal the rule because section 39-21-119.5, C.R.S., Rule 39-21-119.5  | All Taxpayers, Tax Practitioners              | October 5, 2020          |
| Dec.     | 1 CCR 201-1<br>Rule 39-21-105.5-2, Electronic Notices                              | New                            | § 39-21-112(1) and 39-21-105.5, C.R.S.        |                                | Create a procedures that allow taxpayers to voluntarily elect to receive notices from the Department by electronic means   | All Taxpayers, Tax Practitioners              | October 5, 2020          |
| May      | 1 CCR 201-2<br>Special Rule 9A, Commodity Swaps Used by Energy Companies           | New                            | § 39-21-112(1) and 39-22-303.6, C.R.S.        |                                | Permit certain commodity swaps used by energy companies to be included in receipts the receipts factors  | Energy Companies, Tax Practitioners           | March 2, 2020            |



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| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)                                  | X if yes                       | (Purpose for the change, ex: legislation)  |   |                          |
| Sep.     | 1 CCR 201-4<br>Rule 39-26-103.5, Direct Payment Permits                               | Revision                       | § 39-21-112(1) and 39-26-103.5, C.R.S.                 |                                | Clarify the conditions under which a direct pay permit can be issued or revoked  | Direct Pay Permittees, All Retailers, Tax Practitioners                     | July 13, 2020            |
| Jan.     | 1 CCR 201-4<br>Rule 39-26-703-1, Contractor's Refund Claim                            | Revision                       | § 39-21-112(1), 39-26-107, and 39-26-703(2)(c), C.R.S. |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-4<br>Rule 39-26-708-1, Contractors for Exempt Projects                      | Revision                       | § 39-21-112(1), 39-26-107, and 39-26-708(1), C.R.S.    |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-4<br>Rule 39-26-708-2, Contractors for Exempt Projects                      | Revision                       | § 39-21-112(1), 39-26-107, and 39-26-708, C.R.S.       |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-5<br>Special Rule 10, Contractors   | Revision                       | § 39-21-112(1) and 39-26-107, C.R.S.                   |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-5<br>Special Rule 10.1, Priority of Credits for Taxes Paid to Another State | Revision                       | § 39-21-112(1), 39-26-107, and 39-26-713(2)(f), C.R.S. |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-5<br>Special Rule 28, Maintenance and Decorating Services                   | Revision                       | § 39-21-112(1) and 39-26-107, C.R.S.                   |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |

# Taxation Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda.

Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda.

The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)   | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders  | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|--|---|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |   |                          |
| Jan.     | 1 CCR 201-5<br>Special Rule 29, Manufacturers and Prefabricators Acting as Contractors | Revision                       | § 39-21-112(1) and 39-26-107, C.R.S.          |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-5<br>Special Rule 37, Ready-Mix Concrete                                     | Revision                       | § 39-21-112(1) and 39-26-107, C.R.S.          |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Contractors, tax practitioners, tax-exempt organizations, local governments | November 2, 2020         |
| Jan.     | 1 CCR 201-5<br>Special Rule 39, Sand and Gravel  | Revision                       | § 39-21-112(1) and 39-26-107, C.R.S.          |                                | Reconcile, consolidate, and/or repeal related regulations regarding contractors. | Aggregate Industry  | November 2, 2020         |

# Taxation Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number<br>(ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Purpose<br>(For the change, ex: legislation)  | Stakeholders  | Status  | Adoption Date<br>(if applicable) | Comments |
|---|-----------------------------------|--------------------------------|---|---|---|---------|----------------------------------|----------|
| 1 CCR 201-4<br>Rule 39-26-102<br>(9)        | Retail Sales                      | Revision                       | § 39-21-112(1), 39-26-102(9), and 39-26-102(10), C.R.S.   | Remove language that was codified in HB2019-1240  | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-104-1             | Imposition of Tax                 | Revision                       | § 39-21-112(1), 39-26-104, 39-26-105, 39-26-106, 39-26-109, 39-26-118, 39-26-122, and 39-26-704(2), C.R.S.                | Sections of this rule were already in or are being proposed for relocation to Rules 39-26-102(9), 39-26-106-2, and 39-26-202.                       | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-105-1             | Remittance of Tax                 | Revision                       | § 39-21-112(1), and 39-21-119, 39-26-105, 39-26-107, 39-26-109, 39-26-112, 39-26-118, 39-26-122, and 39-26-704(2), C.R.S. | Remove language that was codified in HB19-1240  | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-106-1             | Separately Stated Tax             | Revision                       | § 39-21-112(1), 39-26-104, 39-26-105, 39-26-106, and 39-26-122, C.R.S.  | Break this rule into two separate rules because each paragraph deals with different topics.   | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-106-2             | Minimum Taxable Sale              | New                            | § 39-21-112(1), 39-26-104, 39-26-106, and 39-26-122, C.R.S.   | Move language that was previously in Rule 39-26-104 to this rule because the language deals with provisions in section 39-26-106, C.R.S.            | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-112               | Excess Tax Collected              | New                            | § 39-21-112(1), 39-26-112, and 39-26-122, C.R.S.  | Move language that was previously in Rule 39-26-106 to this rule because the language deals with provisions in section 39-26-112, C.R.S.            | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-202               | Imposition of Use Tax             | Revision                       | § 39-21-112(1) and 39-26-202, C.R.S.  | Clarify the circumstances under which use tax is owed. Additionally, the department is updating the language and removing unnecessary commentary    | All Retail Businesses, Taxpayers, and Tax Practitioners | Adopted | January 31, 2020                 |          |
| 1 CCR 201-4<br>Rule 39-26-204<br>(2)        | Retailer's Use tax                | Repeal                         | § 39-21-112(1) and 39-26-204, C.R.S.  | Repeal because rule was codified in HB19-1240   | All Retail Businesses and Tax Practitioners             | Adopted | January 31, 2020                 |          |
| 1 CCR 201-7<br>39-28.5-101-1                | Manufacturer's List Price         | New                            | § 39-21-112(1), 39-28.5-101, and 39-28.5-102, C.R.S.  | Clarify that "manufacturer's list price" includes any and all charges reflected on an invoice from the manufacturer or supplier to the distributor. | All Tobacco Manufacturers and Distributors              | Adopted | May 8, 2020                      |          |
| 1 CCR 201-4<br>Rule 39-26-102<br>(3)        | Doing Business in this State      | New                            | § 39-21-112(1), 39-26-102, and 39-26-122, C.R.S.  | Clarify when a retailer is doing business in this state   | All Retail Businesses and Tax Practitioners             | Adopted | August 10, 2020                  |          |

# Taxation Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                                    |  |          |   |  |   |         |                 |  |
|------------------------------------|--|----------|---|--|---|---------|-----------------|--|
| 1 CCR 201-4 Rule 39-26-103         | Sales Tax Licensing  | New      | § 39-21-112(1), 39-26-102, 39-26-103, 39-26-105, 39-26-106, and 39-26-122, C.R.S.   | Clarify when a retailer shall obtain a sales tax license.  | All Retail Businesses and Tax Practitioners   | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-104-2       | Sourcing Retail Sales  | New      | § 39-21-112(1), 39-26-102, 39-26-104, 39-26-105, 39-26-107, and 39-26-122, C.R.S.   | Clarify the location to which a retail sale is sourced within Colorado.  | All Retail Businesses and Tax Practitioners   | Adopted | August 10, 2020 |  |
| 1 CCR 201-5 Special Rule 44        | Marketplaces Owned, Operated, or Controlled by Marketplace Facilitators. | New      | § 39-21-112(1), 29-26-102, 39-26-103, 39-26-104, 39-26-105, 39-26-106, 39-26-109, 39-26-116, 39-26-118, 39-26-122, C.R.S. | Establishes requirements and conditions applicable to sales made in Colorado in or through marketplaces owned, operated, or controlled by marketplace facilitators   | All Retail Businesses and Tax Practitioners   | Adopted | August 10, 2020 |  |
| 1 CCR 201-5 Special Rule 3.1       | Automobile Dealers and Special Event Vehicles                            | Repeal   | § 39-21-112(1) and 42-3-122, C.R.S.   | Repeal because rule is unnecessary   | Automobile Dealers and Tax Practitioners      | Adopted | August 10, 2020 |  |
| 1 CCR 201-2 Rule 39-22-303 (11)(f) | Domestic C Corporations with De Minimis or No Property and Payroll       | New      | § 39-21-112(1) and 39-22-303, C.R.S.  | Explain the manner in which the de minimis standard in section 39-22-303(11)(f), C.R.S., will be uniformly applied to taxpayers  | Corporate Income Taxpayers                    | Ongoing |                 |  |
| 1 CCR 201-2 Rule 39-22-303 (12)(c) | Corporations Without Property and Payroll Factors                        | Repeal   | § 39-21-112(1) and 39-22-303, C.R.S.  | Repeal the rule because the section 39-22-303(12)(c), C.R.S., was repealed in SB19-233   | Corporate Income Taxpayers                    | Ongoing |                 |  |
| 1 CCR 201-1 Rule 39-21-104         | Rejection of Claims  | Repeal   | § 39-21-112(1) and 39-21-104, C.R.S.  | Repeal rule because it is duplicative of statute   | All Taxpayers and Tax Practitioners           | Ongoing |                 |  |
| 1 CCR 201-1 Rule 39-21-105.5       | Notices  | Revision | § 39-21-112(1) and 39-21-105.5, C.R.S.  | Repeal language that is duplicative of the statute, clarify statutory requirements related to the issuance of notices, and advise taxpayers of their duty to notify the Department of changes to their mailing addresses | All Taxpayers and Tax Practitioners           | Ongoing |                 |  |
| 1 CCR 201-1 Rule 39-21-116.5       | Responsible Officer Liability  | New      | § 39-21-101(4), 39-21-102(1), 39-21-112(1), and 39-21-116.5, C.R.S.   | Clarify the liability for the penalty imposed by section 39 21 116.5, C.R.S., and establish requirements for the administration thereof  | All Taxpayers and Tax Practitioners           | Ongoing |                 |  |
| 1 CCR 201-5 Special Rule 2         | Agricultural Products and Equipment                                      | Revision | § 39-21-112(1), 39-26-102(19), and 39-26-716, C.R.S.  | Conform to statutory changes made by HB19-1329 and HB19-1162   | Agricultural Businesses and Tax Practitioners | Ongoing |                 |  |

# Taxation Division 2020 Regulatory Agenda Report

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(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|  |   |          |   |  |  |         |  |  |
|--|---|----------|---|--|--|---------|--|--|
| 1 CCR 201-4<br>Rule 39-26-717          | Medical Material, Equipment, and Drugs                          | Revision | § 39-21-112(1) and § 39-26-717, C.R.S.                            | Conform to statutory changes made by SB18-129  | All Retail Businesses, Medical Retailers, All Taxpayers, and Tax Practitioners           | Ongoing |  |  |
| 1 CCR 201-2<br>Rule 39-22-522          | Conservation Easement Credit                                    | Revision | § 39-21-112(1), 39-21-113, 39-22-522, and 39-22-522.5, C.R.S.     | Conform to statutory changes made by HB19-1264   | All Taxpayers, Tax Practitioners   | Ongoing |  |  |
| 1 CCR 201-2<br>Rule 39-22-538          | Rural Primary Health Care Preceptor Credit                      | Revision | § 39-21-112(1) and § 39-22-538, C.R.S.                            | Conform to statutory changes made by HB19-1088   | Rural Primary Health Care Preceptors and Tax Practitioners                               | Ongoing |  |  |
| 1 CCR 201-18<br>Rule 39-28.8-101       | Retail Marijuana Definitions                                    | Revision | § 39-21-112(1), 39-28.8-101, 39-28.8-205, and 39-28.8-308, C.R.S. | Conform to statutory changes made by SB19-224  | Retail Marijuana Businesses and Tax Practitioners  | Ongoing |  |  |
| 1 CCR 201-4<br>Rule 39-26-718          | Charitable and Other Exempt Organizations                       | Revision | § 39-21-112(1), 39-26-102(2.5), 39-26-718, and 39-26-725, C.R.S.  | Conform to statutory changes made by HB19-1323   | Charitable Organizations, Tax Practitioners  | Ongoing |  |  |
| 1 CCR 201-6<br>Regulation 39-35-104    | Aircraft Manufacturer New Employee Credit                       | Revision | §39-21-112(1) and 39-35-104, C.R.S.                               | Repeal current rule and update to clarify the calculation of the aircraft manufacturer new employee income tax credit  | Enterprise Zone Businesses and Administrators  | Ongoing |  |  |
| 1 CCR 201-13<br>Regulation 39-30-104   | Enterprise Zone Investment Tax Credit                           | Revision | §39-21-112(1), 39-30-104, and 39-30-108(1), C.R.S.                | Repeal rule and update to clarify the application of the enterprise zone investment tax credit   | Enterprise Zone Businesses and Administrators  | Ongoing |  |  |
| 1 CCR 201-13<br>Regulation 39-30-105   | Enterprise Zone New Business Facility Employee Credit           | Repeal   | §39-21-112(1), 39-30-105, and 39-30-108(1), C.R.S.                | Repeal rule because statutory section was repealed in 2019   | Enterprise Zone Businesses and Administrators  | Ongoing |  |  |
| 1 CCR 201-13<br>Regulation 39-30-105.1 | Enterprise Zone Business Facility Employee Credits              | New      | §39-21-112(1), 39-30-105.1, and 39-30-108(1), C.R.S.              | Clarify the calculation of enterprise zone business facility employee credits.   | Enterprise Zone Businesses and Administrators  | Ongoing |  |  |
| 1 CCR 201-13<br>Regulation 39-30-105.6 | Enterprise Zone Rehabilitation of Vacant Buildings              | New      | §39-21-112(1), 39-30-105.6, and 39-30-108(1), C.R.S.              | Clarify requirements for the credit related to vacancy, commercial use, and pre-certification  | Enterprise Zone Businesses and Administrators  | Ongoing |  |  |
| 1 CCR 201-13<br>Regulation 39-30-106   | Enterprise Zone Machinery and Machine Tools Sales Tax Exemption | New      | §39-21-112(1), 39-30-106, and 39-30-108(1), C.R.S.                | Clarify the expansion of the sales tax exemption for machinery and machine tools used exclusively in an enterprise zone to include only those activities related directly to the mining of natural resources | Enterprise Zone Businesses and Administrators, Mining Businesses, Oil and Gas Businesses | Ongoing |  |  |

# Taxation Division 2020 Regulatory Agenda Report

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Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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|                              |  |     |                                       |   |                                  |             |  |  |
|------------------------------|--|-----|---------------------------------------|---|----------------------------------|-------------|--|--|
| 1 CCR 201-1 Rule 39-21-119.5 | Mandatory Electronic Filing of Returns | New | §39-21-112(1) and 39-26-119.5, C.R.S. | Require certain returns be filed electronically | All Taxpayers, Tax Practitioners | Not Adopted |  |  |
|------------------------------|--|-----|---------------------------------------|---|----------------------------------|-------------|--|--|

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                           | Statutory or other basis for adoption of rule    | Did review result in revisions to regulation?  | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable) | Comments (optional) |
|----------------------------------|--|---|--|--|---|---|-------------------------------|---------------------|
| June 2020                        | 1 CCR 201-2 Rule 39-22-303(11)(a)        | Combined Reports  | § 39-21-112(1) and 39-22-303, C.R.S.             | Planning to start revising in 2021   | No  | No  |                               |                     |
| June 2020                        | 1 CCR 201-2 Rule 39-22-303(12)(a)        | An affiliated Group   | § 39-21-112(1) and 39-22-303, C.R.S.             | Planning to start revising in 2021   | No  | No  |                               |                     |
| June 2020                        | 1 CCR 201-2 Rule 39-22-303(12)(c)        | Corporations Without Property and Payroll Factors           | § 39-21-112(1) and 39-22-303, C.R.S.             |  | Yes, repealed 1 rule  | No  |                               |                     |
| June 2020                        | 1 CCR 201-2 Rule 39-22-303(6)            | Distributions and Allocation of Gross Income and Deductions | § 39-21-112(1) and 39-22-303, C.R.S.             | Planning to start revising in 2021   | No  | No  |                               |                     |
| June 2020                        | 1 CCR 201-2 Rule 39-22-303(8)            | Corporations Not Includible                                 | § 39-21-112(1) and 39-22-303, C.R.S.             | Planning to start revising in 2021   | No  | No  |                               |                     |
| June 2020                        | 1 CCR 201-2 Rule 39-22-305               | Consolidated Returns  | § 39-21-112(1) and 39-22-305, C.R.S.             | Planning to start revising in 2021   | No  | No  |                               |                     |
| October 2020                     | 1 CCR 201-4 Rule 39-26-716               | Farm Close-out Sale   | § 39-21-112(1) and 39-22-716, C.R.S.             | Review resulted in amendments identified that would improve the rule, but are not immediately necessary. | No  | No  |                               |                     |
| September 2020                   | 1 CCR 201-5 Special Rule 2               | Agricultural Products and Equipment                         | § 39-21-112(1), 39-26-102, and 39-22-716, C.R.S. | Yes  | Repealed the current rule and rewrote the rule                                    | No  |                               |                     |
| September 2020                   | 1 CCR 2014 Rule 39-26-720                | Bingo Equipment   | § 39-21-112(1) and 39-22-720, C.R.S.             | Planning to revise in 2021   | Review showed Dept. should repeal rule  | No  |                               |                     |

# Taxation Division 2020 Regulatory Agenda Report

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|             |                               |                        |   |  |  |    |  |  |
|-------------|-------------------------------|------------------------|---|--|--|----|--|--|
| August 2020 | 1 CCR 201-5 Special Rule 1    | Advertising Agencies   | § 39-21-112(1), 39-26-104, and 39-26-122, C.R.S.            | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No   | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 6    | Cemeteries             | § 39-21-112(1), 39-26-104, and 39-26-122, C.R.S.            | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 16   | Fiduciaries            | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 17   | Financial Institutions | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 25   | Insurance Companies    | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 26   | Janitorial Services    | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 27   | Linen Service          | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 31   | Morticians             | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No   | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 34   | Photofinishers         | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 34.5 | Photographers          | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No   | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 35   | Printers and Printing  | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No   | No |  |  |
| August 2020 | 1 CCR 201-5 Special Rule 36   | Private Clubs          | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No   | No |  |  |

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|                |  |   |   |  |   |    |  |  |
|----------------|--|---|---|--|---|----|--|--|
| August 2020    | 1 CCR 201-5<br>Special Rule 40           | Service<br>Enterprises                            | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | Review resulted in amendments identified that could improve the rule, but are not immediately necessary. | No  | No |  |  |
| August 2020    | 1 CCR 201-5<br>Special Rule 42           | Upholsters  | § 39-21-112(1), 39-26-102, 39-26-104, and 39-26-122, C.R.S. | No   | Review showed Dept. should consider repealing rule                        | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-103-1          | Request for<br>Hearing                            | § 39-21-103 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing parts of the existing rule that are redundant with statute | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-104            | Rejection of<br>Claims                            | § 39-21-104 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing 1 rule   | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-105            | Appeals   | § 39-21-105 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing 1 rule   | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-105.5          | Notices   | § 39-21-105.5 and 39-21-112(1), C.R.S.                      | Yes  | Yes, repealing parts of the existing rule that are redundant with statute | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-107            | Limitations on<br>Assessments                     | § 39-21-107 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing 1 rule   | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-108            | Refund Claims                                     | § 39-21-108 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing parts of the existing rule that are redundant with statute | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-109            | Interest on<br>Amount Due                         | § 39-21-109 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing 1 rule   | No |  |  |
| April 2020     | 1 CCR 201-1<br>Rule 39-21-113            | Reports and<br>Returns                            | § 39-21-113 and 39-21-112(1), C. R.S.                       | Yes  | Yes, repealing 1 rule   | No |  |  |
| September 2020 | 1 CCR 201-16<br>Rule 39-27-102(5)<br>(a) | Biodiesel Used<br>in Blending                     | § 39-21-112(1) and 39-27-102(5)<br>(2)(a), C.R.S.           | No   | No  | No |  |  |
| September 2020 | 1 CCR 201-16<br>Rule 39-27-103           | Refunds of<br>Gasoline and<br>Special Fuel<br>Tax | § 39-21-112(1) and 39-27-103, C. R.S.                       | No   | No  | No |  |  |

Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)



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| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose   | Stakeholders                                     | Status  | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional) |
|--|--|--------------------------------|--|---|--|---------|--|---------------------|
| 1 CCR 201-2<br>Rule 39-22-627            | Temporary Adjustment of Income Tax Rate  | New                            | § 39-21-112(1) and 39-22-627, C.R.S.   | The purpose of this rule is to adjust the Colorado income tax rate in accordance with section 39-22-627, C.R.S.   | All Colorado Income Taxpayers, Tax Practitioners | Adopted | January 31, 2020   |                     |
| 1 CCR 201-2<br>Rule 39-22-608-2          | Special Extension for Original Returns Due April 15, 2020 Because of Prior Extension | New                            | § 39-21-112(1) and 39-22-608(2), C.R.S.  | Emergency rule to provide a reasonable extension of time for certain returns  | All Income Taxpayers, Tax Practitioners          | Adopted | April 3, 2020<br>April 20, 2020  |                     |
| 1 CCR 201-2<br>Rule 39-22-609-1          | Due Date for Certain Income Tax Payments   | New                            | § 39-21-112(1), 39-22-608, and 39-22-609 C.R.S., and Executive Order D 2020 010  | Emergency rule to amend the due date for certain income tax payments  | All Income Taxpayers, Tax Practitioners          | Adopted | April 3, 2020<br>April 20, 2020  |                     |
| 1 CCR 201-4<br>Rule 39-26-105-5          | Special Extension of Time for Filing Returns and Paying Taxes Due April 20, 2020     | New                            | § 39-21-112(1), 29-2-106, 39-26-105(2), 39-26-118(9), 39-26-122, 30-11-107.9(4)(a), 32-13-107(2), 32-9-119(2)(c)(l), 43-4-605(1)(j)(l), 29-1-204.5(3)(f.1)(l), 32-1-1106(2)(a), 32-19-112(2)(a), and 30-20-604.5(2)(a), C.R.S., and Executive Order D 2020 023 | Emergency rule to provide an extension for the filing and payment of certain sales tax returns  | All Retailers, Tax Practitioners                 | Adopted | April 7, 2020  |                     |
| 1 CCR 201-10<br>Rule 39-29-104-2         | Due Date for Certain Molybdenum Ore Severance Tax Returns                            | New                            | § 39-21-112(1) and (8), 39-29-104(2), and 39-29-115(4), C.R.S., and Executive Order D 2020 033   | Emergency rule to amend the due date for molybdenum ore severance tax returns currently due April 15, 2020 to May 15, 2020 and grant a waiver of penalties and interest for such molybdenum ore severance tax returns                               | Molybdenum Miners                                | Adopted | April 9, 2020  |                     |
| 1 CCR 201-10<br>Rule 39-29-112-2         | Due Date for Certain Severance Tax Filings and Payments                              | New                            | § 39-21-112(1) and (8), 39-29-112(1) and (2), and 39-22-606, C.R.S., and Executive Order D 2020 033  | Emergency rule to amend the due date for certain severance tax filings and payments.  | Severance Taxpayers, Tax Practitioners           | Adopted | April 9, 2020  |                     |
| 1 CCR 201-4<br>Rule 39-26-102 (1.3)      | Auctioneers  | Revision                       | § 39-21-112(1) and 39-26-102 (1.3), C.R.S.   | Correct and repeal references to rules and FYIs that are no longer accurate due to amendments to the referenced rules or the retirement or amendment of certain guidance publications. Additionally, the amendment repeals certain cross references | Auctioneers, Tax Practitioners                   | Adopted | August 10, 2020  |                     |

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|                                  |   |          |  |   |  |         |                 |  |
|----------------------------------|---|----------|--|---|--|---------|-----------------|--|
| 1 CCR 201-4 Rule 39-26-102 (4.5) | Food                                    | Revision | § 39-21-112(1) and 39-26-102 (4.5), C.R.S. | Repeals references that are no longer accurate  | All taxpayers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-102 (21)  | Sales of Energy                         | Revision | § 39-21-112(1) and 39-26-102(21), C.R.S.   | Correct and repeal references to rules and FYIs that are no longer accurate due to amendments to the referenced rules or the retirement or amendment of certain guidance publications | Purchasers of Energy for Industrial Uses, Tax Practitioners  | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-103.5     | Direct Payment Permit                   | Revision | § 39-21-112(1) and 39-26-103.5, C.R.S.     | Repeals certain cross references  | Direct Payment Permittees, Tax Practitioners                 | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-104-3     | Exchanged Tangible Personal Property    | Revision | § 39-21-112(1) and 39-26-104, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-105-2     | Extensions of Sales and Use Tax Returns | Revision | § 39-21-112(1) and 39-26-105, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-105-3     | Documenting Exempt Sales                | Revision | § 39-21-112(1) and 39-26-105, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-105.3     | Electronic Address Databases            | Revision | § 39-21-112(1) and 39-26-105.3, C.R.S.     | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-106-4     | Alcoholic Beverages                     | Repeal   | § 39-21-112(1) and 39-26-106, C. R.S.      | Repeals rule because it simply cross references another rule  | All Retailers Selling Alcoholic Beverages, Tax Practitioners | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-109       | Sales Tax Filing Schedules              | Revision | § 39-21-112(1) and 39-26-109, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-116       | Record of Sales                         | Revision | § 39-21-112(1) and 39-26-116, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-118       | Sales Taxes Held in Trust               | Revision | § 39-21-112(1) and 39-26-118, C. R.S.      | Repeals certain cross references  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-125       | Statute of Limitations                  | Revision | § 39-21-112(1) and 39-26-125, C. R.S.      | Removes unnecessary formatting  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |
| 1 CCR 201-4 Rule 39-26-210       | Statute of Limitations                  | Revision | § 39-21-112(1) and 39-26-210, C. R.S.      | Removes some duplicative language and unnecessary formatting  | All Retailers, Tax Practitioners                             | Adopted | August 10, 2020 |  |

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|----------------------------------|--|----------|--|--|---|---------|------------------|--|
| 1 CCR 201-4 Rule 39-26-704-2     | Sales Tax Exemption for Housing Authorities  | Revision | § 39-21-112(1) and 39-26-704, C. R.S.  | Repeals certain cross references   | All Retailers, Tax Practitioners                                    | Adopted | August 10, 2020  |  |
| 1 CCR 201-4 Rule 39-26-717       | Medical Material, Equipment, and Drugs   | Revision | § 39-21-112(1) and 39-26-717, C. R.S.  | Repeals certain cross references   | Medical Equipment, Materials, and Drug Retailers, Tax Practitioners | Adopted | August 10, 2020  |  |
| 1 CCR 201-4 Rule 39-26-718       | Charitable and Other Exempt Organizations  | Revision | § 39-21-112(1) and 39-26-718, C. R.S.  | Repeals certain cross references and corrects references to such   | Charitable Organizations, Tax Practitioners, All Retailers          | Adopted | August 10, 2020  |  |
| 1 CCR 201-5 Special Rule 2       | Agricultural Products and Equipment  | Revision | § 39-21-112(1), 39-26-102, and 39-26-716, C.R.S.   | Repeals certain cross references   | Agricultural Producers, Retailers, Tax Practitioners                | Adopted | August 10, 2020  |  |
| 1 CCR 201-5 Special Rule 3       | Automobile Dealers, Vehicles Used in a Manner That Continues the Right to the Resale Exemption | Revision | § 39-21-112(1), 39-26-102, 39-26-122 C.R.S.  | Correct statutory references in rule   | Automobile Dealers, Tax Practitioners                               | Adopted | August 10, 2020  |  |
| 1 CCR 201-5 Special Rule 19      | Gas and Electric Services  | Revision | § 39-21-112(1), 39-26-102, 39-26-122, 39-26-715, C.R.S.                                    | Correct and repeal references to rules that have been repealed   | Energy Producers and Consumers, Tax Practitioners                   | Adopted | August 10, 2020  |  |
| 1 CCR 201-5 Special Rule 22      | Hotels and Motels  | Revision | § 39-21-112(1), 39-26-102, 39-26-104, C.R.S.   | Repeal references to FYIs that have been retired   | Hotel and Motel Retailers, Tax Practitioners                        | Adopted | August 10, 2020  |  |
| 1 CCR 201-5 Special Rule 43      | Prepaid Wireless Telecommunication Service Surcharges  | Revision | § 39-21-112(1), § 29-11-101, § 29-11-102.5, § 29-11-102.7, § 40-17-102, § 40-17-103 C.R.S. | Repeals certain cross references   | Mobile Phone Retailers, Tax Practitioners                           | Adopted | August 10, 2020  |  |
| 1 CCR 201-4 Rule 39-26-102 (15)  | Tangible Personal Property   | Revision | § 39-21-112(1), 39-26-102, 39-26-122, C.R.S.   | Clarify the treatment of digital goods as tangible personal property   | All Retailer, Tax Practitioners                                     | Adopted | November 9, 2020 |  |
| 1 CCR 201-2 Rule 39-22-103 (5.3) | Internal Revenue Code - Prospective  | New      | § 39-21-112(1), 2-4-202, 39-22-103(5.3), 39-22-104, 39-22-304, and 39-22-303.6, C.R.S.     | Clarify that the term "internal revenue code" incorporates changes to federal statute only on a prospective basis. | All Income Taxpayers, Tax Practitioners                             | Adopted | July 31, 2020    |  |
| 1 CCR 201-2 Rule 39-22-303.6-1   | Apportionment and Allocation Definitions   | Revision | § 39-21-112(1), 2-4-202, 39-22-103(5.3), 39-22-104, 39-22-304, and 39-22-303.6, C.R.S.     | Clarify that the term "internal revenue code" incorporates changes to federal statute only on a prospective basis. | All Income Taxpayers, Tax Practitioners                             | Adopted | July 31, 2020    |  |

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|--------------------------------------|--|----------|---|---|---|---------|------------------|--|
| 1 CCR 201-5<br>Special Rule 45       | County Lodging Taxes                       | New      | § 24-35-108(1)(e), 29-2-106(5), 30-11-107.5, and 39-21-112(1), C.R.S., section 39-26.1-113, C.R.S. (1987) (1987 Colo. Sess. Laws, ch. 176, §12), and section 29-2-108, C.R.S. (1991) (1991 Colo. Sess. Laws, ch. 316, §3) | Establish the effective date for the restoration of a rate of two percent for county lodging taxes adopted at such rate by resolution, but that were temporarily reduced by operation of certain statutory provisions that have since been repealed | Colorado Counties, Lodging Retailers, Tax Practitioners   | Adopted | August 11, 2020  |  |
| 1 CCR 201-10<br>Rule 39-29-105-1     | Liability for Severance Tax on Oil and Gas | New      | § 39-21-101(3), 39-21-112(1), 39-29-101(1), 39-29-102(3), 39-29-105, and 39-29-111, and 39-29-112 C.R.S.  | Clarify the imposition of, and liability for, Colorado severance tax on oil and gas   | Oil and Gas Producers, Interest Owners, Tax Practitioners | Adopted | November 9, 2020 |  |
| 1 CCR 201-10<br>Rule 39-29-105-2     | Ad Valorem Tax Credit                      | Revision | § 39-21-112(1) and 39-29-105(2), C.R.S.   | Re-number the rule to accommodate an additional rule promulgated pursuant to the same statutory section   | Oil and Gas Producers, Interest Owners, Tax Practitioners | Adopted | November 9, 2020 |  |
| 1 CCR 201-10<br>Rule 39-29-111       | Oil and Gas Severance Tax Withholding      | Revision | § 39-21-101(3), 39-21-112(1), 39-29-101(1), 39-29-111, 39-29-112, and 39-29-115(1.5), C.R.S.  | Clarify the reporting requirements for severance tax withheld from gross income from oil and gas, and to make other minor changes to improve readability and clarity of the rule  | Oil and Gas Producers, Interest Owners, Tax Practitioners | Adopted | November 9, 2020 |  |
| 1 CCR 201-2<br>Rule 39-22-303-1      | Tax Period Subject to SB19-233             | New      | § 39-21-112(1) and 39-22-303, C.R.S., and Senate Bill 19-233, 2019 Colo. Sess. Laws., ch. 397, sec. 3.  | Clarify the tax periods to which Senate Bill 19-233 will apply  | Corporate Income Taxpayers, Tax Practitioners             | Ongoing |                  |  |
| 1 CCR 201-1<br>Rule 39-21-103-2      | Assessments                                | New      | § 39-21-103(1), 39-21-112(1), and 39-22-103(1), C.R.S.  | Define the term "assessment" as it is used in article 21 of title 39 and to clarify procedures and requirements related thereto   | All Taxpayers, Tax Practitioners                          | Ongoing |                  |  |
| 1 CCR 201-1<br>Rule 39-21-109 (1.5)  | Interest Discount                          | New      | § 39-21-112(1) and 39-21-109 (1.5), C.R.S.  | Clarify that a check returned to the Department of Revenue without payment does not constitute a payment sufficient to qualify for the 3% interest discount authorized by section 39-21-109(1.5), C.R.S.  | All Taxpayers, Tax Practitioners                          | Ongoing |                  |  |
| 1 CCR 201-4<br>Rule 39-26-704-4      | Sales Tax Exemptions for Hotel Residents   | Revision | § 39-21-112(1), 39-26-102(11), 39-26-104(1)(f), and 39-26-704(3), C.R.S.  | Clarify the effect of House Bill 20-1020 and to explain the exemptions for long-term rentals of rooms and accommodations applicable to state and state-administered local sales taxes and the written agreement required for such exemptions        | Lodging Retailers, Tax Practitioners                      | Ongoing |                  |  |
| 1 CCR 201-2<br>Rule 39-22-104 (3)(g) | Gross Conservation Easement Addition       | Revision | § 39-21-112(1), 39-22-104(3)(g), and 39-22-522, C.R.S.  | Conform to statutory changes made by HB19-1264  | All Taxpayers, Tax Practitioners                          | Ongoing |                  |  |

# Taxation Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |  |          |  |  |  |         |  |  |
|---|--|----------|--|--|--|---------|--|--|
| 1 CCR 201-2<br>Rule 39-22-304<br>(2)(f) | Gross Conservation<br>Easement Addition                                      | Revision | § 39-21-112(1), 39-22-304(2)(f),<br>and 39-22-522, C.R.S.        | Conform to statutory changes made by HB19-1264   | All Taxpayers, Tax<br>Practitioners              | Ongoing |  |  |
| 1 CCR 201-7<br>Rule 39-28-104           | Wholesaler's<br>Service Fee  | Revision | § 39-21-112(1), 39-28-104, and<br>39-28-109, C.R.S.              | Remove the requirement to file cigarette returns<br>electronically because HB20-1175 statutorily<br>requires electronic filing of cigarette returns and<br>payment of cigarette tax by electronic funds<br>transfer                      | Cigarette Retailers, Tax<br>Practitioners        | Ongoing |  |  |
| 1 CCR 201-7<br>Rule 39-28.5-<br>106     | Distributor's<br>Service Fee   | Revision | § 39-21-112(1), 39-28.5-106, C.R.<br>S.                          | Remove the requirement to file tobacco products<br>returns electronically because HB20-1175<br>statutorily requires electronic filing of tobacco<br>products returns and payment of tobacco<br>products tax by electronic funds transfer | Tobacco Products<br>Retailers, Tax Practitioners | Ongoing |  |  |
| 1 CCR 201-4<br>Rule 39-26-102<br>(7)-1  | Purchase Price   | Revision | § 39-21-112(1), 39-26-102, and<br>39-26-104 C.R.S.               | Re-number the rule to accommodate an additional<br>rule promulgated pursuant to the same statutory<br>section  | All Taxpayers, Tax<br>Practitioners              | Ongoing |  |  |
| 1 CCR 201-4<br>Rule 39-26-102<br>(7)-2  | Purchase Price<br>Involving a<br>Donation to a<br>Charitable<br>Organization | New      | § 39-21-112(1), 39-21-113(1), 39-<br>26-116, and 39-26-102(7)(a) | Establish the conditions under which a portion of a<br>payment for a sale made by a charitable<br>organization is considered a donation and<br>therefore excluded from the taxable purchase<br>price                                     | Charitable Organizations,<br>Tax Practitioners   | Ongoing |  |  |

# Liquor Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)   | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders                     | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|--|----------------------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |                                  |                          |
| May      | 1 CCR 203-2; Regulation 47-422; Arts License   | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List (see below) | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-424; Engaging in Business   | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-426; Delivery of Alcohol Beverages  | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-428; Sales Rooms  | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-500; Excise Tax Audits  | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-502; Excise Tax Reports   | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| May      | 1 CCR 203-2; Regulation 47-504; Payment of Excise Taxes by Non-licensees   | Revision                       | §44-3-202, C.R.S.                             | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.   | LED Stakeholder List             | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-200; Petitions for Statements of Position and Declaratory Orders Concerning the Colorado Liquor Code, Colorado Beer Code, Special Event Code, Or Colorado Liquor Rules. | Revision                       | §44-3-202, C.R.S.                             |                                | Review for possible updates and amendments to process contained therein under advisement of Division counsel and LED management. | LED Stakeholder List             | October 2021             |
| Jun.     | Possible New Rule Concerning Issuance of Warning Letters   | New                            | §44-3-202, C.R.S.                             |                                | Possible new rule creation under advisement of Division counsel and LED management.  | LED Stakeholder List             | October 2021             |

# Liquor Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
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- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

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| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |                      |                          |
| Jun.     | 1 CCR 203-2; Regulation 47-322 (G); Consignment Sales   | Revision                       | §44-3-202, C.R.S.                             |                                | Promised stakeholders continued engagement regarding the provisions of this rule after some work was done on it previous rulemaking year; potential alignment language with federal statutes | LED Stakeholder List | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-312; Change of Location  | Revision                       | §44-3-202, C.R.S.                             |                                | Relocation of deleted section from Regulation 47-408 prompted by stakeholder engagement and discussion in previous rulemaking year.  | LED Stakeholder List | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-300; Change in Class of License  | Revision                       | §44-3-202, C.R.S.                             |                                | Relocation of deleted section from Regulation 47-408 prompted by stakeholder engagement and discussion in previous rulemaking year.  | LED Stakeholder List | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-303; License Renewal   | Revision                       | §44-3-202, C.R.S.                             |                                | Relocation of deleted section from Regulation 47-408 prompted by stakeholder engagement and discussion in previous rulemaking year.  | LED Stakeholder List | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-605; Responsible Alcohol Beverage Vendor and Permitted Tastings by Retail Liquor Stores and Liquor-Licensed Drugstores | Revision                       | §44-3-202, C.R.S.                             |                                | Review for possible updates and amendments under advisement of Division counsel and LED management.  | LED Stakeholder List | October 2021             |
| Jun.     | 1 CCR 203-2; Regulation 47-506; Fees  | Revision                       | §44-3-202, C.R.S.                             |                                | Regulation is always in "open" status as fees must be adjusted on an annual basis to meet requirements of legislation and reflect direct/indirect costs of the Division                      | LED Stakeholder List | October 2021             |





# Liquor Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are to be marked as "ongoing" or "in progress".

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule      | Purpose  | Stakeholders         | Status      | Adoption Date (if applicable) | Comments (optional)                     |
|--|--|--------------------------------|--|--|----------------------|-------------|-------------------------------|---|
| 1 CCR 203-2 Regulation 47-302            | Changing, Altering, or Modifying Licensed Premises   | Revision                       | §44-3-202, C.R.S.; Executive Order Series 2020-011 | To allow for modification of premises to encourage social distancing amid COVID-19 pandemic  | LED Stakeholder List | Ongoing     |                               | Hearing on Permanent Rule set for 10/15 |
| 1 CCR 203-2 Regulation 47-303            | License Renewal  | Revision                       | §44-3-202, C.R.S.; SB 20-086                       | Updating of notification requirements per terms of recently passed legislation (SB 20-086)   | LED Stakeholder List | Adopted     | 09/17/2020                    |   |
| 1 CCR 203-2 Regulation 47-322(F)         | Trade Shows  | Revision                       | §44-3-202, C.R.S.                                  | Inclusion of new subsection addressing trade show requirements and restrictions as a result of extensive stakeholder engagement and requests last rulemaking year. | LED Stakeholder List | Adopted     | 04/08/2020                    |   |
| 1 CCR 203-2 Regulation 47-322(G)         | Consignment Sales  | Revision                       | §44-3-202, C.R.S.                                  | Updates to rules per stakeholder engagement and request last rulemaking year   | LED Stakeholder List | Adopted     | 09/17/2020                    |   |
| 1 CCR 203-2 Regulation 47-506            | Fees   | Revision                       | §44-3-202, C.R.S.; SB 20-086                       | Fee adjustments in alignment with new legislation (SB 20-086) and to reflect the direct and indirect costs of the Division   | LED Stakeholder List | Not Adopted | N/A                           |   |
| 1 CCR 203-2 Regulation 47-432            | Alternating Proprietor Licensed Premises   | Revision                       | §44-3-202, C.R.S.; HB 20-1055                      | Adding Vintner's Restaurants as allowable license types eligible for AP licensure pursuant to new legislation (HB 20-1055)   | LED Stakeholder List | Adopted     | 09/17/2020                    |   |
| 1 CCR 203-2 Regulation 47-505            | Methods of Payments of fees, fines, and other payments made to the State Licensing Authority | New                            | §44-3-202, C.R.S.; SB 20-110                       | Establishing payment methods in response to SB 20-110  | LED Stakeholder List | Adopted     | 09/17/2020                    |   |
| 1 CCR 203-2 Regulation 47-600            | Complaints Against Licensees, Suspension, Revocation, and Fining of Licensees                | Revision                       | §44-3-202, C.R.S.; SB 20-110                       | Updating language for alignment with recently passed legislation (SB 20-110)   | LED Stakeholder List | Adopted     | 09/17/2020                    |   |
| 1 CCR 203-2 Regulation 47-603            | Assessment of Penalties  | Revision                       | §44-3-202, C.R.S.; SB 20-110                       | Establishing parameters for penalty assessment in line with mandates of recently passed legislation (SB 20-110)  | LED Stakeholder List | Adopted     | 09/17/2020                    |   |

# Liquor Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

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(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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|                                |   |          |  |  |                      |         |            |   |
|--------------------------------|---|----------|--|--|----------------------|---------|------------|---|
| 1 CCR 203-2 Regulation 47-604  | Compliance Check Penalties                                | Repeal   | §44-3-202, C.R.S.; SB 20-110                       | Repeal of rule whose substance is now addressed in recently established 47-603 in order to avoid confusion or contradiction within Regulation  | LED Stakeholder List | Adopted | 09/17/2020 |   |
| 1 CCR 203-2 Regulation 47-913  | Age of Employees  | Revision | §44-3-202, C.R.S.; SB 20-032                       | Clarifying language, updates to basis and purpose, and ensured alignment with recently passed legislation (SB 20-032)  | LED Stakeholder List | Adopted | 09/17/2020 |   |
| 1 CCR 203-2 Regulation 47-1101 | Delivery and Takeout Sales                                | New      | §44-3-202, C.R.S.; SB 20-213                       | Establishment of Regulation governing takeout and delivery sales for on-premises licensees in alignment with recently passed legislation (SB 20-213)                                       | LED Stakeholder List | Adopted | 09/17/2020 |   |
| 1 CCR 203-2 Regulation 47-1102 | Compliance with Public Health Orders and Executive Orders | New      | §44-3-202, C.R.S.                                  | Establishment of rule allowing for cooperative enforcement activities between LED, local licensing authorities, Executive Government, and Public Health Agencies at city and county level. | LED Stakeholder List | Adopted | 09/17/2020 |   |
| 1 CCR 203-2 Regulation 47-1103 | Communal Outdoor Dining Spaces                            | New      | §44-3-202, C.R.S.; Executive Order Series 2020-011 | Establishment of rule governing requirements for communal outdoor dining areas amid the COVID-19 pandemic  | LED Stakeholder List | Ongoing | N/A        | Rule is in effect as an emergency regulation (designed as relief measure for ongoing COVID-19 pandemic) and is reassessed every 120 days. |

# Division of Motor Vehicles 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;  
 (b) The statutory or other basis for adoption of the proposed rules;  
 (c) The purpose of the proposed rules;  
 (d) The contemplated schedule for adoption of the rules;  
 (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

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| Schedule | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders   | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|---|--|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)           |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation) |  |                          |
| Jan.     | 1 CCR 204-30 Rule 14                   | Revision                       | 42-1-206(3.7)(b) and 42-1-206(f), C.R.S.  | x                              | Regulatory Review                         | Colorado Citizens, Colorado Interactive  | 3/2021                   |
| Apr.     | 1 CCR 204-30 Rule 13                   | Revision                       | 42-2-114(1)(a)(IV) and (V), C.R.S.  | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement   | 4/2021                   |
| Sep.     | 1 CCR 204-10 Rule 4                    | Revision                       | 42-1-102(17), 42-1-102(23.5), 42-1-102(109), 42-1-201, 42-1-204, and 42-3-306(5) C.R.S.                                 | x                              | Regulatory Review                         | Heavy vehicle owners, IRS HVUT, County Clerk and Recorders   | 11/2021                  |
| Oct.     | 1 CCR 204-10 Rule 9                    | Revision                       | 42-1-204, 42-3-116, and 42-3-301, C.R.S.  | x                              | Regulatory Review                         | Licensed Colorado Dealers, Auto Industry Division, County Clerk and Recorders  | 12/2021                  |
| Nov.     | 1 CCR 204-10 Rule 10                   | Revision                       | 38-20-116, 42-1-204, 42-6-102, 42-6-104, 42-6-115(3)(a), 42-6-116, 42-6-136, 42-6-136.5, 42-6-137, and 42-9-102, C.R.S. | x                              | Regulatory Review                         | Repair facilities, County Clerk and Recorders  | 3/2021                   |
| Dec.     | 1 CCR 204-10 Rule 11                   | Revision                       | 24-4-104, 24-4-105, 42-1-102(6), 42-1-204, 42-4-108(5), 42-4-213, and 42-4-238, C.R.S.                                  | x                              | Regulatory Review                         | Law enforcement, Fire Departments, Ambulance Services, Colorado Public Utilities Commission, Tow Operators, County Clerk and Recorders | 2/2021                   |

# Division of Motor Vehicles 2021 Regulatory Agenda

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(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;  
 (b) The statutory or other basis for adoption of the proposed rules;  
 (c) The purpose of the proposed rules;  
 (d) The contemplated schedule for adoption of the rules;  
 (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders  | Anticipated Hearing Date |
|----------|--|--------------------------------|--|--------------------------------|---|---|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)           |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation) |   |                          |
| Jan.     | 1 CCR 204-10 Rule 19                   | Revision                       | 42-6-104, 42-6-107 (1)(b), 42-6-115, 42-6-116, and 42-6-117, C.R.S.                          | x                              | Regulatory Review                         | Colorado State Patrol, POST certified VIN inspectors, County Clerk and Recorders  | 3/2021                   |
| Feb.     | 1 CCR 204-10 Rule 22                   | Revision                       | 42-6-104 and 42-6-113, C.R.S.  | x                              | Regulatory Review                         | Vehicle manufacturers, licensed Colorado Dealers, Auto Industry Division, County Clerk and Recorders  | 4/2021                   |
| Mar.     | 1 CCR 204-10 Rule 35                   | Revision                       | 42-1-204, 42-3-116 (1), and 42-3-304(7) (a), C.R.S.  | x                              | Regulatory Review                         | Financial institutions, repair facilities, licensed Colorado Dealers, licensed Colorado Auctioneers, Auto Industry Division, Vehicle Manufacturers, SMM Dealers, Drive-Away and Tow-Away Transporter, Repossessors, County Clerk and Recorder | 5/2021                   |
| Jan.     | 1 CCR 204-30 Rule 1                    | Revision                       | C.R.S. Title 24-4-103, 24-72.1-103, 42-1-204, and Title 42, Article 2, Parts 1, 2, 3, and 5. | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement  | 3/2021                   |
| Feb.     | 1 CCR 204-30 Rule 5                    | Revision                       | 24-76.5-103, C.R.S.  | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement  | 4/2021                   |

# Division of Motor Vehicles 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7- 202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders                       | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|---|------------------------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)           |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation) |                                    |                          |
| Mar.     | 1 CCR 204-30 Rule 7                    | Revision                       | 24-4-103, 42-2-111 (1)(b), 42-2-114.5, 42-2-403, 42-2-406 (3 through 7), and 42-2-407(8), C.R.S.  | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement | 5/2021                   |
| Apr.     | 1 CCR 204-30 Rule 8                    | Revision                       | 24-4-103, 104 and 105; 42-1-102 (43.5); 42-1-204; 42-1-211; 42-1-222; 42-2-105.5; 42-2-106; 42-2-111; 42-2-601, 602, 603, and 604, C.R.S. | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement | 6/2021                   |
| May      | 1 CCR 204-30 Rule 9                    | Revision                       | 24-4-103; 24-4-104; 42-1-102(43.5); 42-1-102(55); 42-1-102 (58); 42-1-204; 42-2-103; 42-2-106 and 42-2-111; 42-4-1502, C.R.S. (2016)      | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement | 7/1/2021                 |
| Jun.     | 1 CCR 204-30 Rule 17                   | Revision                       | 24-4-103, 24-72.1-103, 42-1-206 (2), 42-2-107, 42-2-114,  | x                              | Regulatory Review                         | Colorado Citizens, Law Enforcement | 8/2/2021                 |

# Division of Motor Vehicles 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule                                  | Purpose (For the change, ex: legislation) | Stakeholders   | Status  | Adoption Date (if applicable) | Comments |
|--|--|--------------------------------|--|---|--|---------|-------------------------------|----------|
| 1 CCR 204-32 Rule 1                      | Sex Designation ID, ID Documents   | Revision                       | 24-4-103, 24-72.1-103, 42-1-204, Title 42 Article 2, Parts 1, 2, 3, 5.         | Legislation                               | Colorado Citizens, Law Enforcement   | Adopted | 4/14/2020                     |          |
| 1 CCR 204-30 Rule 6                      | Rules for the Application for a Driver's License, Instruction Permit or Identification Card for U.S. Citizens and Individuals Who Can Demonstrate Permanent Lawful Presence and Colorado Residency | Revision                       | 24-4-103, 24-72.1-102(5), 24-72.1-103, 42-1-204, 42-2-107, 42-2-108, 42-2-302, | Legislation                               | Colorado Citizens, Law Enforcement   | Adopted | 7/16/2020                     |          |
| 1 CCR 204-30 Rule 6                      | Rules for the Application for a Driver's License, Instruction Permit or Identification Card for U.S. Citizens and Individuals Who Can Demonstrate Permanent Lawful Presence and Colorado Residency | Revision                       | 24-4-103, 24-72.1-102(5), 24-72.1-103, 42-1-204, 42-2-107, 42-2-108, 42-2-302, | Legislation                               | Colorado Citizens, Law Enforcement   | Adopted | 7/16/2020                     |          |
| 1 CCR 204-30 Rule 3                      | DRIVER LICENSE RE-EXAMINATION / MEDICAL EXAMINATION  | Revision                       | 42-2-111, 42-2-112, and 42-2-104, C.R.S.                                       | Update Verbiage Definitions Vendors       | Colorado Citizens, Law Enforcement, Driver License Offices 3rd party Testers | Adopted | 11/15/20                      |          |

# Division of Motor Vehicles 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are to be marked as "ongoing" or "in progress".

|                         |  |          |  |  |  |         |            |                                       |
|-------------------------|--|----------|--|--|--|---------|------------|---------------------------------------|
| 1 CCR 204-30<br>Rule 1  | RULES FOR APPLICATION FOR A COLORADO ROAD AND COMMUNITY SAFETY ACT IDENTIFICATION DOCUMENTS  | Revision | 24-4-103, 24-72.1-103, 42-1-204, and Title 42, Article 2, Parts 1, 2, 3, and 5.              | Update Verbiage Definitions for Online | Colorado Citizens, Law Enforcement, Driver License Offices | Ongoing |            | Waiting on Hearing Ruling<br>10/15/20 |
| 1 CCR 204-30<br>Rule 6  | Rules for the Application for a Driver's License, Instruction Permit or Identification Card for U.S. Citizens and Individuals Who Can Demonstrate Permanent Lawful Presence and Colorado Residency | Revision | 24-4-103, 24-72.1-102(5), 24-72.1-103, 42-1-204, 42-2-107, 42-2-108, 42-2-302,               | Update Verbiage Definitions for Online | Colorado Citizens, Law Enforcement, Driver License Offices | Ongoing |            | Waiting on Hearing Ruling<br>10/15/20 |
| 1 CCR 204-30<br>Rule 1  | RULE 1 RULES FOR APPLICATION FOR A COLORADO ROAD AND COMMUNITY SAFETY ACT IDENTIFICATION DOCUMENTS 42-2-501 CRS  | Revision | C.R.S. Title 24-4-103, 24-72.1-103, 42-1-204, and Title 42, Article 2, Parts 1, 2, 3, and 5. | Fee Change                             | Colorado Citizens, GA, JBC                                 | Adopted | 10/15/2020 |                                       |
| 1 CCR 204-30<br>Rule 17 | FEES FOR TESTING AND FOR ISSUANCE OF RECORDS, LICENSES, PERMITS, AND IDENTIFICATION DOCUMENTS BY THE COLORADO DEPARTMENT OF REVENUE  | Revision | 24-4-103, 24-72.1-103, 42-1-206 (2), 42-2-107, 42-2-114,                                     | Fee Change                             | Colorado Citizens, GA, JBC                                 | Adopted | 10/15/2020 |                                       |

# Division of Motor Vehicles 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are marked as "ongoing" or "in progress".

|                     |   |          |   |                                     |  |         |          |                  |
|---------------------|---|----------|---|-------------------------------------|--|---------|----------|------------------|
| 1 CCR 204-30 Rule 8 | RULES AND REGULATIONS FOR THE CLASS R DRIVER TESTING AND EDUCATION PROGRAM              | Revision | 24-4-103, 104 and 105; 42-1-102 (43.5); 42-1-204; 42-1-211; 42-1-222; 42-2-105.5; 42-2-106;42-2-111; 42-2-601, 602, 603, and 604, C.R.S.                                      | Update Verbiage Definitions Vendors | Colorado Citizens, Law Enforcement, Driver License Offices 3rd party Testers | Adopted | 11/15/20 |                  |
| 1 CCR 204-32 Rule 1 | SEX DESIGNATION FOR DRIVER LICENSES, IDENTIFICATION CARDS, AND IDENTIFICATION DOCUMENTS | Revision | Section 25-2-113.8, C.R.S., ; sections 42-1-201 and 42-1-204, C.R.S, 1 to 4 of title 42; and sections 42-2- 107, 42-2-108, 42-2-302, 42-2-303, 42-2-403 and 42-2-505, C.R.S., | Update Verbiage Definitions         | Colorado Citizens, Law Enforcement   | Ongoing |          | Hearing 10/22/20 |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | Statutory or other basis for adoption of rule                                 | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional) |
|----------------------------------|--|--|---|---|---|---|--|---------------------|
| 4/2020                           | 1 CCR 204-10 Rule 40                     | Low Power Scooters   | 42-1-204 and 42-3-107(17)(a) through 42-3-107(17)(e)                          | Revision                                      | no  | No  | 7/16/2020  |                     |
| 6/2020                           | 1 CCR 204-10 Rule 42                     | License Plate Destruction, Recycling and Disposal  | 42-1-204, 42-3-201(6)(a) and 42-3-201(6)(b)                                   | Repeal  | 1   | No  | 10/15/2020   |                     |
| 6/2020                           | 1 CCR 204-10 Rule 1                      | Special Mobile Machinery Specific Ownership Tax Credit for Out of State Use Under Contractual Agreements | 42-1-102(48.5), 42-1-204, 42-2-103(2), 42-3-105(2), 42-3-105(4), and 42-3-312 | Revision                                      | no  | No  | 10/15/2020   |                     |
| 7/2020                           | 1 CCR 204-30 Rule 11                     | Interlock Restricted Driver Licenses   | 42-2-132.5, 42-1-204, 24-4-103  | Revision                                      | no  | No  | 10/15/2020   |                     |



# Division of Motor Vehicles 2020 Regulatory Agenda Report

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(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

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|        |                      |  |  |          |    |    |           |  |
|--------|----------------------|--|--|----------|----|----|-----------|--|
| 8/2020 | 1 CCR 204-30 Rule 2  | Interstate Driver License Compact Rule       | 24-4-104,24-60-1101, 42-1-204            | Revision | no | No | Ongoing   | Hearing 11/3/20                            |
| 1/2020 | 1 CCR 204-10 Rule 34 | Dealer Issued Temporary Registration Permits | 2-4-108(2), 42-1-204 and 42-3-203 (3)(b) | Revision | no | No | 3/16/2020 |  |
| 8/2020 | 1 CCR 204-10 Rule 23 | SPECIAL MOBILE MACHINERY RENTALS             | 42-1-204 and 42-3-107(16)                | no       | no | No |           | This was reviewed and no changes were made |
| 1/2020 | 1 CCR 204-10 Rule 32 | SPECIAL LICENSE PLATE SURCHARGE              | 42-1-204 and 42-3-313                    | Revision | no | No | 5/1/2020  |  |
| 1/2020 | 1 CCR 204-10 Rule 38 | Year of Manufacture License Plate            | 42-1-204, 42-3-120 and 42-12-302         | Revision | no | No | 4/14/2020 |  |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                                     | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Purpose                               | Stakeholders   | Status  | Adoption Date (if applicable) | Comments (optional) |
|--|---|--------------------------------|---|---------------------------------------|--|---------|-------------------------------|---------------------|
| 1 CCR 204-30 Emergency Rule 18           | AUTOMATIC EXTENSION OF DRIVER LICENSES AND COMMERCIAL DRIVER LICENSES | New                            | 24-4-103(6), 42-2-101(8)(a).                  | Executive Governor's Order Compliance | Colorado Citizens, Law Enforcement, Truckers                                 | Adopted | 4/2/2020                      |                     |
| 1 CCR 204-30 Emergency Rule 3            | DRIVER LICENSE RE-EXAMINATION / MEDICAL EXAMINATION                   | Revision                       | 42-2-111, 42-2-112, and 42-2-104, C.R.S.      | Executive Governor's Order Compliance | Colorado Citizens, Law Enforcement, Driver License Offices 3rd party Testers | Adopted | 5/22/2020                     |                     |

# Division of Motor Vehicles 2020 Regulatory Agenda Report

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|                                      |   |          |  |                                       |  |         |           |  |
|--------------------------------------|---|----------|--|---------------------------------------|--|---------|-----------|--|
| 1 CCR 204-30<br>Emergency Rule<br>1  | RULE 1 RULES FOR APPLICATION FOR A COLORADO ROAD AND COMMUNITY SAFETY ACT IDENTIFICATION DOCUMENTS 42-2-501 CRS                     | Revision | C.R.S. Title 24-4-103, 24-72.1-103, 42-1-204, and Title 42, Article 2, Parts 1, 2, 3, and 5.   | Fee Change                            | Colorado Citizens, GA, JBC   | Adopted | 5/22/2020 |  |
| 1 CCR 204-30<br>Emergency Rule<br>17 | FEES FOR TESTING AND FOR ISSUANCE OF RECORDS, LICENSES, PERMITS, AND IDENTIFICATION DOCUMENTS BY THE COLORADO DEPARTMENT OF REVENUE | Revision | 24-4-103, 24-72.1-103, 42-1-206 (2), 42-2-107, 42-2-114,   | Fee Change                            | Colorado Citizens, GA, JBC   | Adopted | 5/22/2020 |  |
| 1 CCR 204-30<br>Emergency Rule<br>8  | RULES AND REGULATIONS FOR THE CLASS R DRIVER TESTING AND EDUCATION PROGRAM  | Revision | 24-4-103, 104 and 105; 42-1-102 (43.5); 42-1-204; 42-1-211; 42-1-222; 42-2-105.5; 42-2-106;42-2-111; 42-2-601, 602, 603, and 604, C.R.S. | Executive Governor's Order Compliance | Colorado Citizens, Law Enforcement, Driver License Offices 3rd party Testers | Adopted | 5/22/2020 |  |
| 1 CCR 204-30<br>Emergency Rule<br>1  | RULE 1 RULES FOR APPLICATION FOR A COLORADO ROAD AND COMMUNITY SAFETY ACT IDENTIFICATION DOCUMENTS 42-2-501 CRS                     | Revision | C.R.S. Title 24-4-103, 24-72.1-103, 42-1-204, and Title 42, Article 2, Parts 1, 2, 3, and 5.   | Fee Change                            | Colorado Citizens, GA, JBC   | Adopted | 6/26/2020 |  |

# Division of Motor Vehicles 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

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Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

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|                                      |  |          |  |  |   |         |           |  |
|--------------------------------------|--|----------|--|--|---|---------|-----------|--|
| 1 CCR 204-30<br>Emergency Rule<br>17 | FEES FOR TESTING<br>AND FOR ISSUANCE<br>OF RECORDS,<br>LICENSES,<br>PERMITS, AND<br>IDENTIFICATION<br>DOCUMENTS BY<br>THE COLORADO<br>DEPARTMENT OF<br>REVENUE | Revision | 24-4-103, 24-72.1-103, 42-1-206<br>(2), 42-2-107, 42-2-114,  | Fee Change   | Colorado Citizens, GA, JBC  | Adopted | 6/26/2020 |  |
| 1 CCR 204-30<br>Emergency Rule<br>3  | DRIVER LICENSE<br>RE-EXAMINATION /<br>MEDICAL<br>EXAMINATION   | Revision | 42-2-111, 42-2-112, and 42-2-104,<br>C.R.S.  | Submitted to keep emergency rule in place<br>awaiting regular promulgation | Colorado Citizens, Law<br>Enforcement, Driver<br>License Offices 3rd party<br>Testers | Adopted | 9/17/2020 |  |
| 1 CCR 204-30<br>Emergency Rule<br>8  | RULES AND<br>REGULATIONS FOR<br>THE CLASS R<br>DRIVER TESTING<br>AND EDUCATION<br>PROGRAM  | Revision | 24-4-103, 104 and 105; 42-1-102<br>(43.5); 42-1-204; 42-1-211; 42-1-<br>222; 42-2-105.5; 42-2-106;42-2-<br>111; 42-2-601, 602, 603, and 604,<br>C.R.S. | Submitted to keep emergency rule in place<br>awaiting regular promulgation | Colorado Citizens, Law<br>Enforcement, Driver<br>License Offices 3rd party<br>Testers | Adopted | 9/17/2020 |  |

# Motor Vehicle Dealer Board 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)   | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders                      | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|--|-----------------------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |                                   |                          |
|          | 1 CCR 205-1, Regulation 44-20-104(3)(k), Pre-Licensing Exam  | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program Exam for Motor Vehicle Dealers, its Providers, and its Process.   | MVDB Stakeholder List (see below) | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(6), Executive Secretary Served with Process for Licensee   | Revision                       | §§44-20-104(3)(a), C.R.S.                     | X                              | To revise language to add electronic transmission of documents for Service of Process for Motor Vehicle Dealers' and Motor Vehicle Dealers' Licensees. | MVDB Stakeholder List             | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(d), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers     | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.        | MVDB Stakeholder List             | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(f)(I), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers  | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.        | MVDB Stakeholder List             | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(f)(II), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.        | MVDB Stakeholder List             | October 2021             |

# Motor Vehicle Dealer Board 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders          | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|--|-----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |                       |                          |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(f)(III), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.            | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(f)(IV), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers  | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.            | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(g), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers      | Revision                       | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.            | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-1, Regulation 44-20-118(7)(h), Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers      | New                            | §§44-20-104(3)(a), 40-20-118, C.R.S.          | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Motor Vehicle Dealers, its Providers, and its Process.            | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-404(1)(k), Pre-Licensing Exam   | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program Exam for Powersports Vehicle Dealers, its Providers, and its Process. | MVDB Stakeholder List | October 2021             |

# Motor Vehicle Dealer Board 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)   | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders          | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|--|-----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)  |                       |                          |
|          | 1 CCR 205-2, Regulation 44-20-417(6), Executive Secretary Served with Process for Licensee   | Revision                       | §§44-20-404(a), C.R.S.                        | X                              | To revise language to add electronic transmission of documents for Service of Process for Powersports Vehicle Dealers' and Powersports Vehicle Dealers' Licensees. | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(d), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers      | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process.              | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(f)(I), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers   | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process.              | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(f)(II), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers  | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process.              | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(f)(III), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process.              | MVDB Stakeholder List | October 2021             |

# Motor Vehicle Dealer Board 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7- 202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose   | Stakeholders          | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|---|-----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation)   |                       |                          |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(f)(IV), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers   | Revision                       | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process. | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(g), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers   | New                            | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process. | MVDB Stakeholder List | October 2021             |
|          | 1 CCR 205-2, Regulation 44-20-417(7)(h), Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers   | New                            | §§44-20-404(a), 44-20-417, C.R.S.             | X                              | To revise and set out a portion of the criteria related to the Pre-licensing Program for Powersports Vehicle Dealers, its Providers, and its Process. | MVDB Stakeholder List | October 2021             |
|          |   |                                |   |                                |   |                       |                          |
|          |   |                                |   |                                |   |                       |                          |
|          | MMDB Stakeholder List: Motor Vehicle Dealers, Powersports Vehicle Dealers, and the Organizations representing New and Used Motor Vehicle Dealers and New and Used Powersports Vehicle Dealers |                                |   |                                |   |                       |                          |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity.

Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number<br>(ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose<br>(For the change, ex: legislation)   | Stakeholders  | Status  | Adoption Date<br>(if applicable) | Comments |
|---|--|--------------------------------|--|--|---|---------|----------------------------------|----------|
| 1 CCR 205-1, Regulation 44-20-108(1)(b)     | Compensation Disclosures related to compensation of used Motor Vehicle dealers in particular circumstances | Revision                       | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, and 44-20-108. C. R.S.   | To set out the requirement of compensation disclosure in certain circumstances and establish a uniform format to display necessary features of that compensation.  | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 10/15/2019                       |          |
| 1 CCR 205-1, Regulation 44-20-110           | Consolidation of license-issuing, license-reissuing, and license posting requirements                      | Revision                       | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-109, 44-20-110, 44-20-111, 44-20-113, and 44-20-121, C.R.S. | To consolidate into a single, more comprehensive rule the license-issuing, license-reissuing, and license-posting requirements that currently exist in other places, both in rules and in procedures.  | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 10/15/2019                       |          |
| 1 CCR 205-1, Regulation 44-20-121           | Consolidation of license-issuing, license-reissuing, and license posting requirements                      | New                            | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-121, and 44-20-122, C.R.S.                                  | To replace other existing regulations with one consolidated regulation to cover all classes of licensee and to clarify that the reporting requirement always rests with the relevant licensee with regard criminal violations that must be reported. | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 10/15/2019                       |          |
| 1 CCR 205-1, Regulation 44-20-121(3)(a)     | One Definition of "Material Misstatement" in Motor Vehicle - related circumstances. Respective to Dealers  | Revision                       | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-109, 44-20-118, 44-20-119, 44-20-121 and 44-20-122, C.R.S.  | To consolidate all of the definitions of "Material Misstatement" into one comprehensive definition   | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 10/15/2019                       |          |
| 1 CCR 205-1, Regulation 44-20-121(3)(c)     | Mandatory Disqualifying Conviction Reporting Requirement for Motor Vehicle-related dealership licensees    | Repeal                         | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-121, and 44-20-122, C.R.S.                                  | To set out the requirement of Motor Vehicle dealer and salesperson licensees to provide notice to the Auto Industry Division of a mandatorily disqualifying felony conviction.   | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 10/15/2019                       |          |



# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |   |          |  |  |   |         |            |  |
|---|---|----------|--|--|---|---------|------------|--|
| 1 CCR 205-1, Regulation 44-20-121(6)(a)   | One Definition of "Material Misstatement" in Motor Vehicle - related circumstances. Respective to Salespersons  | Revision | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-109, 44-20-118, 44-20-119, 44-20-121, and 44-20-122, C.R.S. | To consolidate all of the definitions of "Material Misstatement" into one comprehensive definition   | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers             | Adopted | 10/15/2019 |  |
| 1 CCR 205-1, Regulation 44-20-121(6)(f)   | Reissue of a Salesperson's license upon his or her transfer to a different Motor Vehicle/Powersports vehicle dealership   | Repeal   | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-109, 44-20-110, 44-20-111, 44-20-113, and 44-20-121, C.R.S. | To set out the provisions for a salesperson to transfer a license to a different Motor Vehicle dealership.   | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers             | Adopted | 10/15/2019 |  |
| 1 CCR 205-1, Regulation 44-20-121(6)(h)   | Mandatory Disqualifying Conviction Reporting Requirement for Motor Vehicle - related dealership licensees   | Repeal   | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-121, and 44-20-122, C.R.S.                                  | To set out the requirement of Motor Vehicle dealer and salesperson licensees to provide notice to the Auto Industry Division of a mandatorily disqualifying felony conviction. | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers             | Adopted | 10/15/2019 |  |
| 1 CCR 205-1, Regulation 44-20-121(6.5)(a) | New Business License Classification: Business Disposer's License & Definition of "Material Misstatement" in business disposal's license - related circumstances | New      | §§44-20-101, 44-20-102, 44-20-103, 44-20-104, 44-20-108, 44-20-109, 44-20-118, 44-20-119, 44-20-121, and 44-20-122, C.R.S. | To establish a regulation that covers the new class of license, i.e., business disposer's license, established by the General Assembly in the 2019 Legislative Session.        | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers             | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-404(1)(l)   | ANSI Requirements for certain Powersports Vehicles  | Revision | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-420, and 44-20-421, C.R.S.            | To update the applicable ANSI standards.   | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 10/15/2019 |  |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |  |          |  |  |  |         |            |  |
|---|--|----------|--|--|--|---------|------------|--|
| 1 CCR 205-2, Regulation 44-20-408(1)(b) | Compensation Disclosures related to compensation of used Powersports dealers in particular circumstances | Revision | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, and 44-20-408, C.R.S.  | To set out the requirement of compensation disclosure in certain circumstances and establish a uniform format to display necessary features of that compensation.  | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers  | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-410       | Consolidation of license-issuing, license-reissuing, and license posting requirements                    | Revision | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-409, 44-20-410, 44-20-411, 44-20-413, and 44-20-420, C.R.S. | To consolidate into a single, more comprehensive rule the license-issuing, license-reissuing, and license-posting requirements that currently exist in other places, both in rules and in procedures.  | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers  | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-420       | Consolidation of license-issuing, license-reissuing, and license posting requirements                    | New      | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-420, and, 44-20-421, C.R.S.                                 | To replace other existing regulations with one consolidated regulation to cover all classes of licensee and to clarify that the reporting requirement always rests with the relevant licensee with regard criminal violations that must be reported. | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers  | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-420(3)(a) | One Definition of "Material Misstatement" in Powersports - related circumstances. Respective to Dealers  | Revision | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-409, 44-20-417, 44-20-418, 44-20-420, and 44-20-421, C.R.S. | To consolidate all of the definitions of "Material Misstatement" into one comprehensive definition   | Powersports Vehicle Dealers, and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-420(3)(c) | Mandatory Disqualifying Conviction Reporting Requirement for Powersports-related dealership licensees    | Repeal   | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-420, and 44-20-421, C.R.S.                                  | To set out the requirement of Motor Vehicle dealer and salesperson licensees to provide notice to the Auto Industry Division of a mandatorily disqualifying felony conviction.   | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers  | Adopted | 10/15/2019 |  |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are marked as "ongoing" or "in progress".

|   |  |          |  |  |   |         |            |  |
|---|--|----------|--|--|---|---------|------------|--|
| 1 CCR 205-2, Regulation 44-20-420(5)(a) | One Definition of "Material Misstatement" in Powersports - related circumstances. Respective to Salespersons | Revision | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-409, 44-20-417, 44-20-418, 44-20-420, and 44-2-421, C.R.S.  | To consolidate all of the definitions of "Material Misstatement" into one comprehensive definition   | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-420(5)(f) | Reissue of a Salesperson's license upon his or her transfer to a different Powersports vehicle dealership    | Repeal   | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-409, 44-20-410, 44-20-411, 44-20-413, and 44-20-420, C.R.S. | To set out the provisions for a salesperson to transfer a license to a different Powersports dealership.   | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 10/15/2019 |  |
| 1 CCR 205-2, Regulation 44-20-420(5)(h) | Mandatory Disqualifying Conviction Reporting Requirement for Powersports-related dealership licensees        | Repeal   | §§44-20-104, 44-20-108, 44-20-401, 44-20-402, 44-20-403, 44-20-404, 44-20-408, 44-20-420, and 44-20-421, C.R.S.                                  | To set out the requirement of Powersports dealer and salesperson licensees to provide notice to the Auto Industry Division of a mandatorily disqualifying felony conviction. | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 10/15/2019 |  |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                    | Statutory or other basis for adoption of rule | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional)      |
|----------------------------------|--|--|---|---|---|---|--|--------------------------|
|                                  | 1 CCR 205-1, Regulation 44-20-104(3)(k)  | Pre-Licensing Exam                                   | §§44-20-104(3)(a), 40-20-118, C.R.S.          | No  | No  | No  | N/A  | Postponed until CY 2021. |
|                                  | 1 CCR 205-1, Regulation 44-20-118(6)     | Executive Secretary Served with Process for Licensee | §§44-20-104(3)(a), C.R.S.                     | No  | No  | No  | N/A  | Postponed until CY 2021. |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are to be marked as "ongoing" or "in progress".

|  |   |                                       |    |    |    |     |                          |
|--|---|---------------------------------------|----|----|----|-----|--------------------------|
| 1 CCR 205-1, Regulation 44-20-118(7)(d)      | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | §§44-20-104(3)(a), 40-20-118, C. R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-1, Regulation 44-20-118(7)(f)(I)   | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | §§44-20-104(3)(a), 40-20-118, C. R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-1, Regulation 44-20-118(7)(f)(II)  | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | §§44-20-104(3)(a), 40-20-118, C. R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-1, Regulation 44-20-118(7)(f)(III) | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | §§44-20-104(3)(a), 40-20-118, C. R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-1, Regulation 44-20-118(7)(f)(IV)  | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers | §§44-20-104(3)(a), 40-20-118, C. R.S. | No | No | No | N/A | Postponed until CY 2021. |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are to be marked as "ongoing" or "in progress".

|   |  |                                      |    |    |    |     |                          |
|---|--|--------------------------------------|----|----|----|-----|--------------------------|
| 1 CCR 205-1, Regulation 44-20-118(7)(g) | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers      | §§44-20-104(3)(a), 40-20-118, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-1, Regulation 44-20-118(7)(h) | Part of Regulatory Scheme for Pre-licensing Program Providers for Motor Vehicle Dealers      | §§44-20-104(3)(a), 40-20-118, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-404(1)(k) | Pre-Licensing Exam   | §§44-20-404(a), 44-20-417, C.R.S.    | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(6)    | Executive Secretary Served with Process for Licensee   | §§44-20-404(a), C.R.S.               | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(7)(d) | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S.    | No | No | No | N/A | Postponed until CY 2021. |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |  |                                   |    |    |    |     |                          |
|---|--|-----------------------------------|----|----|----|-----|--------------------------|
| 1 CCR 205-2, Regulation 44-20-417(7)(I)   | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(7)(II)  | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(7)(III) | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(7)(IV)  | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:  
 (f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:  
 (4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |  |                                   |    |    |    |     |                          |
|---|--|-----------------------------------|----|----|----|-----|--------------------------|
| 1 CCR 205-2, Regulation 44-20-417(7)(g) | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |
| 1 CCR 205-2, Regulation 44-20-417(7)(h) | Part of Regulatory Scheme for Pre-licensing Program Providers for Powersport Vehicle Dealers | §§44-20-404(a), 44-20-417, C.R.S. | No | No | No | N/A | Postponed until CY 2021. |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101)          | Rule Title (or Brief Description)                            | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose   | Stakeholders  | Status  | Adoption Date (if applicable) | Comments (optional) |
|---|--|--------------------------------|--|---|---|---------|-------------------------------|---------------------|
| 1 CCR 205-1, Emergency Regulation 44-20-102(22)-E | Motor Vehicle Online Transactions and In-Person Interactions | New                            | §§44-20-101, 44-20-102, 44-20-103, 44-20-104(3)(a), 44-20-108, and 44-20-120, C.R.S. | To permit Motor Vehicle Dealers and Used Motor Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency. | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 04/03/2020                    |                     |
| 1 CCR 205-1, Emergency Regulation 44-20-102(22)-E | Motor Vehicle Transactions During COVID-19 Pandemic          | New                            | §§44-20-101, 44-20-102, 44-20-103, 44-20-104(3)(a), 44-20-108, and 44-20-120, C.R.S. | To permit Motor Vehicle Dealers and Used Motor Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency. | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers | Adopted | 05/01/2020                    |                     |

# Motor Vehicle Dealer Board 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|   |   |     |  |   |   |         |            |  |
|---|---|-----|--|---|---|---------|------------|--|
| 1 CCR 205-1, Emergency Regulation 44-20-102(22)-COVID | Motor Vehicle Transactions During "Safer at Home" and "Protect Our Neighbors" Phases of COVID-19 Pandemic       | New | §§44-20-101, 44-20-102, 44-20-103, 44-20-104(3)(a), 44-20-108, and 44-20-120, C.R.S. | To permit Motor Vehicle Dealers and Used Motor Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency.             | Motor Vehicle Dealers and the Organizations representing New and Used Motor Vehicle Dealers             | Adopted | 08/05/2020 |  |
| 1 CCR 205-2, Emergency Regulation 44-20-402(17)-E     | Powersports Vehicle Online Transactions and In-Person Interactions  | New | §§44-20-401, 44-20-402, 44-20-403, 44-20-404(3)(a), 44-20-408, and 44-20-419, C.R.S. | To permit Powersports Vehicle Dealers and Used Powersports Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency. | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 04/03/2020 |  |
| 1 CCR 205-2, Emergency Regulation 44-20-402(17)-E     | Powersports Vehicle Transactions During COVID-19 Pandemic   | New | §§44-20-401, 44-20-402, 44-20-403, 44-20-404(3)(a), 44-20-408, and 44-20-419, C.R.S. | To permit Powersports Vehicle Dealers and Used Powersports Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency. | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 05/01/2020 |  |
| 1 CCR 205-2, Emergency Regulation 44-20-402(17)-COVID | Powersports Vehicle Transactions During "Safer at Home" and "Protect Our Neighbors" Phases of COVID-19 Pandemic | New | §§44-20-401, 44-20-402, 44-20-403, 44-20-404(3)(a), 44-20-408, and 44-20-419, C.R.S. | To permit Powersports Vehicle Dealers and Used Powersports Vehicle Dealers to continue retail sales transactions to the citizens of Colorado during the pendency of the COVID-19 emergency. | Powersports Vehicle Dealers and the Organizations representing New and Used Powersports Vehicle Dealers | Adopted | 08/05/2020 |  |



# Colorado Lottery 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda.

Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda.

The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)                           | New rule, revision, or repeal?  | Statutory or other basis for adoption of rule                        | Part of Mandatory Rule Review? | Purpose  | Stakeholders          | Anticipated Hearing Date |
|----------|--|---|--|--------------------------------|--|-----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)                                     |   | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation)  |                       |                          |
| Mar.     | 1 CCR 206-1 Rule 14.E Multi-State Jackpot Game - Lucky for Life® | Revision  | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C.R.S | X if yes                       | Update according to anticipated game changes, awaiting details from New England Group. | LOT Stakeholders List | Mar 2021                 |
| Jan.     | 1 CCR 206-1 Rule 14.A  | Revision  | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C.R.S | X if yes                       | Update according to anticipated game changes, awaiting details from MUSL Group.        | LOT Stakeholders List | Jan 2021                 |
| Jan.     | 1 CCR 206-1 Rule 14.B  | Revision  | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C.R.S | X if yes                       | Update according to anticipated game changes, awaiting details from MUSL Group.        | LOT Stakeholders List | Jan 2021                 |
|          | LOT Stakeholders List:   | The standard LOT stakeholder list includes one (1) representative from PGCC (Problem Gaming Coalition of Colorado), one (1) Chain Retailer, one (1) Independent Retailer, one (1) representative from GOCO (Great Outdoors Colorado), two (2) Players, two (2) two (2) representatives from CPW (Colorado Parks and Wildlife), and one (1) representative from CTF (Conservation Trust Fund). |  |                                |  |                       |                          |

# Colorado Lottery 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:  
 (f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:  
 (4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)       | New rule, revision, or repeal? | Statutory or other basis for adoption of rule                         | Purpose (For the change, ex: legislation)  | Stakeholders         | Status  | Adoption Date (if applicable) | Comments |
|--|---|--------------------------------|---|--|----------------------|---------|-------------------------------|----------|
| 1 CCR 206-1 Rule 14.E                    | Multi-State Jackpot Game-Lucky for Life | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Update layout to comply with Secretary of State recommended template.<br>Reorganize for consistency in numbered headers and names.<br>Remove outdated information.<br>Remove awarding prizes to an entity per the official recommendation from the Attorney General's Office.<br>Update the ability to award Top Tier Prizes without the director's approval when Lottery Funds are available. | LOT Stakeholder List | Adopted | 9/14/2019                     |          |
| 1 CCR 206-1 Rule 14.E                    | Multi-State Jackpot Game-Lucky for Life | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. L   | LOT Stakeholder List | Adopted | 9/14/2019                     |          |
| 1 CCR 206-1 Rule 2                       | Licensing                               | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Add Licensee and Commission Bonus verbiage removed from Rules 5, 10 and 14 in CY19.  | LOT Stakeholder List | Ongoing |                               |          |
| 1 CCR 206-1 Rule 10.A                    | Colorado Lotto+                         | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Replace with adopted Rule 10.G   | LOT Stakeholder List | Ongoing |                               |          |
| 1 CCR 206-1 Rule 10.A                    | Colorado Lotto+ Add-On                  | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Remove references to Repealed Rule 10.A  | LOT Stakeholder List | Ongoing |                               |          |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)        | Statutory or other basis for adoption of rule                         | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional) |
|----------------------------------|--|--|---|---|---|---|--|---------------------|
| July 2019                        | 1 CCR 206-1 Rule 14.E                    | Multi-State Jackpot Game- Lucky for Life | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Yes   | No  | No  | 9/14/2019  |                     |

|           |                       |   |   |     |    |    |           |   |
|-----------|-----------------------|---|---|-----|----|----|-----------|---|
| June 2020 | 1 CCR 206-1 Rule 14.C | Multi-State Jackpot Game- Mega Millions | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Yes | No | No | 7/30/2020 | Reviewed entire rule before making the required revisions due to the COVID-19 Pandemic. |
|-----------|-----------------------|---|---|-----|----|----|-----------|---|

**Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review**

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)       | New rule, revision, or repeal? | Statutory or other basis for adoption of rule                         | Purpose   | Stakeholders         | Status  | Adoption Date (if applicable) | Comments (optional)                                 |
|--|---|--------------------------------|---|---|----------------------|---------|-------------------------------|---|
| 1 CCR 206-1 Rule 14.C                    | Multi-State Jackpot Game- Mega Millions | Revision                       | 44-40-101, 44-40-109 (1)(a) and (2), 44-40-113, and 44-40-114, C. R.S | Standardized verbiage and layout to comply with the Secretary of State recommended template. Removed outdated and irrelevant regulations and updated to consistent with other Lottery Rules. Definitions that apply to the majority of Lottery Rules have been added or moved to and will only display in Rule 1. In Section 14.C.8 removed guaranteed Grand Prize value and the guarantee that the Grand Prize would increase by a set amount each successive draw. In Section 14.C.8 added that the Product Group has discretion over the game and can make decisions that reflect the best interest of the game. | LOT Stakeholder List | Adopted | 7/30/2020                     | Emergency Rule change due to the COVID-19 Pandemic. |

# Division of Gaming - Rules Promulgated by Gaming Commission 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)                                 | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders   | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|---|--|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation) |  |                          |
| Dec.     | 1 CCR 201-1 Rule 19 Gaming Districts                                   | Revision                       | §44-30-104, 105, 201 and 302, C.R.S.  | X                              | Mandatory Rule Review                     | Limited Gaming Licensees, Div. of Gaming Employees, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk | unknown                  |
| Dec.     | 1 CCR 207-1 Rule 5 Grounds and Procedures for Disciplinary Actions     | Revision                       | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-504, C.R.S., 44-30-523, C.R.S., 44-30-524, C.R.S., and 24-4-104, C.R.S. | X                              | Mandatory Rule Review                     | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Commission  | unknown                  |
| Dec.     | 1 CCR 207-1 Rule 13 Purchase and Redemption of Coins, Chips and Tokens | Revision                       | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-819, C.R.S., and 44-30-824, C.R.S.                                      | X                              | Mandatory Rule Review                     | Limited Gaming Licensees, Div. of Gaming Employees, Gaming patrons   | unknown                  |
| Dec.     | 1 CCR 207-1 Rule 15 Procurement  | Revision                       | §44-30-201, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S.  | X                              | Mandatory Rule Review                     | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Commission  | unknown                  |

# Division of Gaming - Rules Promulgated by Gaming Commission 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda.

Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda.

The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)                        | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders   | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|---|--|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)                                  |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation) |  |                          |
| Dec.     | 1 CCR 207-1 Rule 14 Gaming Tax                                | Revision                       | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-602, C.R.S., and 44-30-604, C.R.S., (1991). |                                | Annual Tax Hearing                        | Limited Gaming Licensees, Div. of Gaming, Financial Analysts, Community Colleges, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk | April and May 2021       |
| Dec.     | 1 CCR 207-1 Rule 3 Applications, Investigations and Licensure | Revision                       | §44-30-102, 44-30-103, 44-30-201, 44-30-203, 44-30-302, C.R.S., Part 5 of Article 30 of Title 44, C.R.S.    |                                | Annual Fee Analysis                       | Limited Gaming Licensees, Div. of Gaming Employees   | April 2021               |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity.

Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number<br>(ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)           | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Purpose<br>(For the change, ex: legislation)   | Stakeholders   | Status  | Adoption Date<br>(if applicable) | Comments   |
|---|---|--------------------------------|---|--|--|---------|----------------------------------|--|
| 1 CCR 207-1 Rule 14                         | Gaming Tax                                  |                                | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-602, C.R.S., and 44-30-604, C.R.S., (1991). | Annual Tax Hearing   | Limited Gaming Licensees, Div. of Gaming, Financial Analysts, Community Colleges, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk |         |                                  | We didn't recommend any changes, and the Commission voted to make no changes to the Gaming Tax Rates |
| 1 CCR 207-1 Rule 3                          | Applications, Investigations, and Licensure | Revision                       | §44-30-102, 44-30-103, 44-30-201, 44-30-203, 44-30-302, C.R.S., Part 5 of Article 30 of Title 44, C.R.S.    | Annual Fee Analysis  | Limited Gaming Licensees, Div. of Gaming Employees   | Adopted | 4/16/20                          |  |
| 1 CCR 207-1 Rule 12                         | Gaming Devices and Equipment                | Revision                       | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-806, C.R.S.                             | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado. | Limited Gaming Licensees, Div. of Gaming Employees   | Adopted | 8/27/20                          |  |

## Results of Mandatory Rules Efficiency Review

| Schedule<br>(month & year reviewed) | Rule Number<br>(ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | Statutory or other basis for adoption of rule | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date<br>(if applicable, if not put N/A and describe in the comments) | Comments (optional) |
|-------------------------------------|---|-----------------------------------|---|---|---|---|---|---------------------|
| n/a                                 |   |                                   |   |   |   |   |   |                     |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number<br>(ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Purpose | Stakeholders | Status | Adoption Date<br>(if applicable) | Comments (optional) |
|---|-----------------------------------|--------------------------------|---|---------|--------------|--------|----------------------------------|---------------------|
|---|-----------------------------------|--------------------------------|---|---------|--------------|--------|----------------------------------|---------------------|

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                    |  |     |  |  |  |         |         |   |
|--------------------|--|-----|--|--|--|---------|---------|---|
| 1 CCR 207-2 Rule 1 | General Rules and Regulations                | New | §44-30-102, C.R.S., 44-30-104, C.R.S., 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S.  | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |   |
| 1 CCR 207-2 Rule 2 | Powers and Duties of Commission and Director | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-301, C.R.S., 44-30-302, C.R.S., 44-30-507, C.R.S., 44-30-705, C.R.S., 24-4-105, C.R.S. and part 15 of article 30 of title 44, C.R.S. | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |   |
| 1 CCR 207-2 Rule 3 | Applications, Investigations and Licensure   | New | §44-30-201, C.R.S.; 44-30-203, C.R.S.; 44-30-302, C.R.S.; 44-30-507, C.R.S., and part 15 of article 30 of title 44, C.R.S.   | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 1/16/20 | An Emergency SB Rule 3 was adopted/effective as of 11/21/19. The permanent version was adopted 1/16/20. I wasn't sure if this should be considered a New Rule or a Revision as it had already been adopted previously as an emergency Rule. |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are marked as "ongoing" or "in progress".

|                       |                                      |     |   |  |  |         |         |  |
|-----------------------|--------------------------------------|-----|---|--|--|---------|---------|--|
| 1 CCR 207-2<br>Rule 4 | Taxes and Fees                       | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-602, C.R.S., 44-30-604, C.R.S., 44-30-1508, C.R.S., and 44-30-1509, C.R.S.   | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |
| 1 CCR 207-2<br>Rule 5 | Authorized Sports Betting Activities | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and part 15 of article 30 of title 44, C.R.S.  | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |
| 1 CCR 207-2<br>Rule 6 | Rights and Duties of Licensees       | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-204, C.R.S., 44-30-302, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-833, C.R.S. and part 15 of article 30 of title 44, C.R.S. | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |



# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                    |  |     |   |  |  |         |         |  |
|--------------------|--|-----|---|--|--|---------|---------|--|
| 1 CCR 207-2 Rule 7 | Requirements of Sports Betting Operations          | New | §44-30-102, C.R.S., 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-503, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-833, C.R.S., and part 15 of article 30 of title 44, C.R.S. | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |
| 1 CCR 207-2 Rule 8 | Sports Betting Integrity: Confidential Information | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-833, C.R.S., and part 15 of article 30 of title 44, C.R.S.                                       | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |
| 1 CCR 207-2 Rule 9 | Responsible Gaming and Self-Restriction            | New | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-502, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-833, C.R.S. and part 15 of article 30 of title 44, C.R.S.                     | Promulgation of rules for Colorado's new Sports Betting industry | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                        |   |          |  |   |  |         |         |  |
|------------------------|---|----------|--|---|--|---------|---------|--|
| 1 CCR 207-2<br>Rule 10 | Grounds and Procedures for Disciplinary Actions | New      | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-504, C.R.S., 44-30-523, C.R.S., 44-30-524, C.R.S., 24-4-104, C.R.S. and part 15 of article 30 of title 44, C.R.S. | Promulgation of rules for Colorado's new Sports Betting industry  | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming employees, Gaming Commission, Financial Analysts, State Water Plan, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk, Sports Betting patrons. | Adopted | 2/20/20 |  |
| 1 CCR 207-1<br>Rule 23 | Rules for Craps                                 | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-818, C.R.S.  | Amendments to add a new pay table to Reg. 30-2399.05 Craps with Bonus Craps   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 4/16/20 |  |
| 1 CCR 207-2<br>Rule 1  | General Rules and Regulations                   | Revision | §44-30-102, C.R.S., 44-30-104, C.R.S., 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S.  | Amendments Reg. 1.4 Definitions to update the definition of "Proposition Bet" for clarification purposes                    | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 4/30/20 | This was an EMERGENCY Rule change.                   |
| 1 CCR 207-2<br>Rule 1  | General Rules and Regulations                   | Revision | §44-30-102, C.R.S., 44-30-104, C.R.S., 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S.  | Amendments Reg. 1.4 Definitions to update the definition of "Proposition Bet" for clarification purposes                    | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 6/18/20 | This was the PERMANENT adoption of this Rule change. |
| 1 CCR 207-1<br>Rule 3  | Applications, Investigations and Licensure      | Revision | §44-30-102, 44-30-103, 44-30-201, 44-30-203, 44-30-302, C.R.S., Part 5 of Article 30 of Title 44, C.R.S.   | Amendments to Reg. 30-303 License Fees to separate the cost of fingerprinting from the application fee                      | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 6/18/20 | This was an EMERGENCY Rule change.                   |
| 1 CCR 207-1<br>Rule 8  | Rules for Blackjack                             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.   | Amendments to Reg. 30-899.25 Blackjack Burnout to allow for the option to use either two or six decks of cards in game play | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 6/18/20 |  |
| 1 CCR 207-1<br>Rule 10 | Rules for Poker                                 | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.   | Amendments to Rule 10 to promulgate rules for a new game, 3 Card Shine  | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 6/18/20 |  |
| 1 CCR 207-1<br>Rule 8  | Rules for Blackjack                             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.   | Amendments to Rule 8 to update the game owner name on several games from Bally Technologies to SG Gaming Inc.               | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 7/16/20 |  |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity.

Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                     |   |          |   |  |  |         |         |  |
|---------------------|---|----------|---|--|--|---------|---------|--|
| 1 CCR 207-1 Rule 10 | Rules for Poker                             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.                    | Amendments to Rule 10 to update the game owner name on several games from Bally Technologies to SG Gaming Inc.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 7/16/20 |  |
| 1 CCR 207-1 Rule 21 | Rules for Blackjack-Poker Combination Games | Revision | §44-30-201, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.                                       | Amendments to Rule 21 to update the game owner name on several games from Bally Technologies to SG Gaming Inc.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 7/16/20 |  |
| 1 CCR 207-1 Rule 22 | Rules for Roulette                          | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-818, C.R.S.                                       | Amendments to Rule 22 to update the game owner name on several games from Bally Technologies to SG Gaming Inc.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 7/16/20 |  |
| 1 CCR 207-1 Rule 24 | Limited Gaming Fund                         | Revision | §44-30-201, 44-30-203, 44-30-302, 44-30-701 and 44-30-702, C.R.S.   | Amendments to Reg. 30-2403 to update the formula for determining limited gaming revenues which became necessary due to a severe revenue decline due to COVID-19  | Limited Gaming Licensees, Div. of Gaming, Financial Analysts, Community Colleges, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk | Adopted | 7/16/20 | This was an EMERGENCY Rule change.                   |
| 1 CCR 207-1 Rule 3  | Applications, Investigations, and Licensure | Revision | §44-30-102, 44-30-103, 44-30-201, 44-30-203, 44-30-302, C.R.S., Part 5 of Article 30 of Title 44, C.R.S.              | Amendments to Reg. 30-303 License Fees to separate the cost of fingerprinting from the application fee   | Limited Gaming Licensees, Div. of Gaming Employees   | Adopted | 8/27/20 | This was the PERMANENT adoption of this Rule change. |
| 1 CCR 207-1 Rule 3  | Applications, Investigations, and Licensure | Revision | §44-30-102, 44-30-103, 44-30-201, 44-30-203, 44-30-302, C.R.S., Part 5 of Article 30 of Title 44, C.R.S.              | Promulgation of Regulation 30-313.5 Licensed Premises - Location, in order to allow casinos to expand their licensed premises to accommodate social distancing. This was preceded by Executive Order D 2020-173. | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20 | This was an EMERGENCY Rule change.                   |
| 1 CCR 207-1 Rule 1  | General Rules and Regulations               | Revision | §44-30-102, C.R.S., 44-30-103, C.R.S., 44-30-104, C.R.S., 44-30-201, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S. | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20 |  |
| 1 CCR 207-1 Rule 8  | Rules for Blackjack                         | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.                    | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20 |  |
| 1 CCR 207-1 Rule 10 | Rules for Poker                             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.                    | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20 |  |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                     |                                |          |   |  |  |         |          |  |
|---------------------|--------------------------------|----------|---|--|--|---------|----------|--|
| 1 CCR 207-1 Rule 16 | Accounting Regulations         | Revision | §44-30-102, C.R.S., 44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-602, C.R.S., and 44-30-806, C.R.S.   | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20  |  |
| 1 CCR 207-1 Rule 22 | Rules for Roulette             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-818, C.R.S.   | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20  |  |
| 1 CCR 207-1 Rule 23 | Rules for Craps                | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-818, C.R.S.   | Amendments to allow for use of purchase tickets, tickets at tables, and multi-state progressive games in Colorado.   | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 8/27/20  |  |
| 1 CCR 207-3         | Fantasy Contest Operators      | New      | §44-30-1601 (1), C.R.S.   | Promulgation of new Rules governing Fantasy Contest Operator licensing and registration per House Bill 20-1286, which moved the regulation of FCO from DORA to DOR | Div. of Gaming Employees, Fantasy Contest Operators, Fantasy Contest patrons   | Adopted | 8/31/20  | This was an EMERGENCY Rule change.                   |
| 1 CCR 207-1 Rule 10 | Rules for Poker                | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.  | Amendments to Reg. 30-1099.15 Western Stud to add a new wagering option and additional pay tables at the game owners request.                                      | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons   | Adopted | 9/17/20  |  |
| 1 CCR 207-1 Rule 24 | Limited Gaming Fund            | Revision | §44-30-201, 44-30-203, 44-30-302, 44-30-701 and 44-30-702, C.R.S.   | Amendments to Reg. 30-2403 to update the formula for determining limited gaming revenues which became necessary due to a severe revenue decline due to COVID-19    | Limited Gaming Licensees, Div. of Gaming, Financial Analysts, Community Colleges, Gilpin County, Teller County, City of Cripple Creek, City of Central, City of Black Hawk | Adopted | 9/17/20  | This was the PERMANENT adoption of this Rule change. |
| 1 CCR 207-2 Rule 1  | General Rules and Regulations  | Revision | §44-30-102, C.R.S., 44-30-104, C.R.S., 44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., and 44-30-302, C.R.S.   | Amendments to Reg. 1.4 Definitions, to add definitions for several additional sports betting terms.  | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming Employees, Sports Betting patrons.  | Ongoing | 10/15/20 |  |
| 1 CCR 207-2 Rule 6  | Rights and Duties of Licensees | Revision | §44-30-201, C.R.S., 44-30-202, C.R.S., 44-30-203, C.R.S., 44-30-204, C.R.S., 44-30-302, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., 44-30-833, C.R.S. and part 15 of article 30 of title 44, C.R.S. | Amendments to Reg. 6.20 Contests and Weekly Picks, to clarify the language.  | Limited Gaming Licensees, Sports Betting Licensees, Div. of Gaming Employees, Sports Betting patrons.  | Ongoing | 10/15/20 |  |

# Division of Gaming - Rules Promulgated by Gaming Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                        |   |          |  |  |  |         |          |  |
|------------------------|---|----------|--|--|--|---------|----------|--|
| 1 CCR 207-1<br>Rule 4  | Rights and Duties of Licensees              | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-301, C.R.S., and 44-30-502, C.R.S., 44-30-510, C.R.S., 44-30-528, C.R.S., and 44-30-833, C.R.S. | Amendment to Reg. 30-417 Patron Disputes, to raise the monetary amount at which a licensee is required to contact the Division when handling a patron dispute.     | Limited Gaming Licensees, Div. of Gaming Employees, Gaming Patrons           | Ongoing | 10/15/20 |  |
| 1 CCR 207-1<br>Rule 10 | Rules for Poker                             | Revision | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.   | Amendments to Reg. 30-1001 Poker Rules, to correct a citation error.   | Limited Gaming Licensees, Div. of Gaming Employees                           | Ongoing | 10/15/20 |  |
| 1 CCR 207-1<br>Rule 12 | Gaming Devices and Equipment                |          | §44-30-201, C.R.S., 44-30-203, C.R.S., 44-30-302, C.R.S., and 44-30-806, C.R.S.  | Amendments to Reg. 30-1211 Poker Table, to correct a citation error.   | Limited Gaming Licensees, Div. of Gaming Employees                           | Ongoing | 10/15/20 |  |
| 1 CCR 207-1<br>Rule 21 | Rules for Blackjack-Poker Combination Games | Revision | §44-30-201, C.R.S., 44-30-302, C.R.S., 44-30-816, C.R.S., and 44-30-818, C.R.S.  | Amendments to Reg. 30-2109 Straight Jack, to change the game owner's name from Bally Technologies to SG Gaming, Inc.   | Limited Gaming Licensees, Div. of Gaming Employees                           | Ongoing | 10/15/20 |  |
| 1 CCR 207-3            | Fantasy Contest Operators                   | New      | §44-30-1601 (1), C.R.S.  | Promulgation of new Rules governing Fantasy Contest Operator licensing and registration per House Bill 20-1286, which moved the regulation of FCO from DORA to DOR | Div. of Gaming Employees, Fantasy Contest Operators, Fantasy Contest patrons | Ongoing | 11/02/20 | This will be the PERMANENT adoption of this Rule change. |

# Colorado Racing Commission 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda.

Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

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The Agenda covers Calendar Year 2021 (CY21).

| Schedule     | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose  | Stakeholders  | Anticipated Hearing Date  |
|--------------|--|--------------------------------|---|--------------------------------|--|---|---------------------------|
| <i>month</i> | <i>(ex: 1 CCR 201-1, Rule #101)</i>    |                                | <i>(ex: 2-3-401, C.R.S.)</i>                  | <i>X if yes</i>                | <i>(Purpose for the change, ex: legislation)</i> |   |                           |
| Oct.         | 1 CCR 208-1<br>Chapter 4<br>(89 rules) |                                |   | X                              | To comply with § 24-4-103.3, C.R.S.              | Horsemen, Division<br>Employees, Association<br>Employees | March 8, 2021 (if needed) |

# Colorado Racing Commission 2020 Regulatory Agenda Report

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## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                      | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Purpose (For the change, ex: legislation)  | Stakeholders  | Status  | Adoption Date (if applicable) | Comments |
|--|--|--------------------------------|---|--|---|---------|-------------------------------|----------|
| 1 CCR 208-1 Definition -- Digital Tattoo | Digital Tattoo   | New                            | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | Conforming to national industry standard   | Trainers, Association, National Horseracing Associations              | Adopted | 3/15/2020                     |          |
| 1 CCR 208-1 3.419                        | Vehicle Registration                                   | New                            | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | Increasing track and stable security   | Association Security Guards, Division Employees, Horsemen             | Adopted | 3/15/2020                     |          |
| 1 CCR 208-1 3.656                        | Jockey Agents Prohibited from Entering Horses in Races | New                            | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | Eliminate potential conflicts of interest in jockey agents who represent multiple jockeys. | Jockeys, Jockey Agents, Trainers, Owners, Association, Betting Public | Adopted | 3/15/2020                     |          |
| 1 CCR 208-1 4.622                        | Digital Tattoo Requirement                             | New                            | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | Conforming to national industry standard   | Trainers, Association, National Horseracing Associations              | Adopted | 3/15/2020                     |          |
| 1 CCR 208-1 5.246                        | Qualifiers Leaving Stable Area                         | Revision                       | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | Conforming to track and breed registry practice and rules                                  | Trainers, Owners, Association Employees, Division Employees           | Adopted | 3/15/2020                     |          |
| 1 CCR 208-1 9.202                        | Official Breed Registries                              | Revision                       | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | To recognize new breed organization (Arabians) replacing defunct organization.             | Arabian Owners and Trainers   | Adopted | 3/15/2020                     |          |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                | Statutory or other basis for adoption of rule   | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional)   |
|----------------------------------|--|--|---|---|---|---|--|---|
| November 2019                    | 1 CCR 208-1 Chapter 1                    | Chapter 1 -- Definitions (217 Total Definitions) | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | No  | No  | No  | N/A  | Definitions identified for revision/repeal, but will occur during a different rulemaking cycle. |

# Colorado Racing Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|               |                       |  |   |    |    |    |     |   |
|---------------|-----------------------|--|---|----|----|----|-----|---|
| November 2019 | 1 CCR 208-1 Chapter 3 | Chapter 3 -- Occupational Licenses (111 Total Rules) | Broad rulemaking authority is granted in §44-32-501(2)(a), C.R.S., to the Colorado Racing Commission. | No | No | No | N/A | Rules identified for revision/pepeal, but will occur during a different rulemaking cycle. |
|---------------|-----------------------|--|---|----|----|----|-----|---|

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)                    | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose   | Stakeholders  | Status  | Adoption Date (if applicable) | Comments (optional)              |
|--|--|--------------------------------|--|---|---|---------|-------------------------------|----------------------------------|
| 1 CCR 208-1 ER2020-1                     | Emergency Rule: Face Coverings / Masks               | New                            | §44-32-101, C.R.S.; §44-32-201(1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501(1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic                    | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020                      | Not continued; Expired 10/3/2020 |
| 1 CCR 208-1 ER2020-2                     | Emergency Rule: 6 ft. of Space between People        | New                            | §44-32-101, C.R.S.; §44-32-201(1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501(1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020                      | Not continued; Expired 10/3/2020 |
| 1 CCR 208-1 ER2020-3                     | Emergency Rule: No Gatherings of More than 10 People | New                            | §44-32-101, C.R.S.; §44-32-201(1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501(1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020                      | Not continued; Expired 10/3/2020 |



# Colorado Racing Commission 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are marked as "ongoing" or "in progress".

|                         |   |     |  |   |   |         |          |                                  |
|-------------------------|---|-----|--|---|---|---------|----------|----------------------------------|
| 1 CCR 208-1<br>ER2020-4 | Emergency Rule:<br>Licensees<br>Prohibited from<br>Remaining on<br>Backside Overnight | New | §44-32-101, C.R.S.; §44-32-201 (1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501 (1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020 | Not continued; Expired 10/3/2020 |
| 1 CCR 208-1<br>ER2020-5 | Emergency Rule:<br>Licensees Vacating<br>Backside after<br>Work Complete              | New | §44-32-101, C.R.S.; §44-32-201 (1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501 (1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020 | Not continued; Expired 10/3/2020 |
| 1 CCR 208-1<br>ER2020-6 | Emergency Rule:<br>No Guests  | New | §44-32-101, C.R.S.; §44-32-201 (1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501 (1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020 | Not continued; Expired 10/3/2020 |
| 1 CCR 208-1<br>ER2020-7 | Emergency Rule:<br>One Person<br>Accompany Horse<br>in Test Barn                      | New | §44-32-101, C.R.S.; §44-32-201 (1), C.R.S.; §44-32-202(3)(f), C.R.S.; §44-32-202(3)(g), C.R.S.; §44-32-202(3)(i), C.R.S.; §44-32-501 (1)(a), C.R.S.; §44-32-503(1)(a), C.R.S.; §44-32-507, C.R.S. Executive Order D 2020 091 Public Health Order 20-28 | Emergency Rules to meet Governor and CDPHE social distancing requirements for the COVID-19 pandemic | Horsemen, Association Employees, Division Employees | Adopted | 6/4/2020 | Not continued; Expired 10/3/2020 |

# Executive Director of the Department of Revenue 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda.

Per §2-7- 202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda.

The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders | Anticipated Hearing Date |
|----------|--|--------------------------------|---|--------------------------------|---|--------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)           |                                | (ex: 2-3-401, C.R.S.)                         | X if yes                       | (Purpose for the change, ex: legislation) |              |                          |
| n/a      |  |                                |   |                                |   |              |                          |

# Executive Director of the Department of Revenue 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed. Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Purpose (For the change, ex: legislation) | Stakeholders | Status | Adoption Date (if applicable) | Comments   |
|--|--|--------------------------------|---|---|--------------|--------|-------------------------------|--|
| 1 CCR 210-4                              | ENFORCEMENT OF THE PROHIBITED USE OF ELECTRONIC BENEFITS TRANSFER CARDS AT CERTAIN LOCATIONS |                                |   |   |              |        |                               | The Div. of Gaming did not include these Rules on the 2020 Regulatory Agenda |
| 1 CCR 210-1                              | Gambling Payment   |                                |   |   |              |        |                               | The Div. of Gaming did not include these Rules on the 2020 Regulatory Agenda |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | Statutory or other basis for adoption of rule | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional)                                   |
|----------------------------------|--|--|---|---|---|---|--|---|
|                                  | 1 CCR 210-4                              | ENFORCEMENT OF THE PROHIBITED USE OF ELECTRONIC BENEFITS TRANSFER CARDS AT CERTAIN LOCATIONS |   |   |   |   |  | The Div. of Gaming did not review these Rules in 2020 |
|                                  | 1 CCR 210-4                              | Gambling Payment Intercept   |   |   |   |   |  | The Div. of Gaming did not review these Rules in 2021 |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review



# Hearings Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose                                   | Stakeholders                                 | Anticipated Hearing Date               |  |                  |
|----------|--|--------------------------------|--|--------------------------------|---|--|--|--|------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)           |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation) |  |  |  |                  |
| May      | 211-1                                  | Revision                       | §§ 24-4-103, 44-10-101 et seq., 44-20-101 et seq., 44-3-101 et seq., 42-3-101 et seq., 42-2-401 et seq., 44-7-101 et seq.  | Yes                            | Updates based on mandatory rule review    | DOR, defense bar, public and law enforcement | Last week of May                       |  |                  |
| May      | 211-2                                  | Revision                       | Rule 7- 24-4-103, 42-1-204, 42-2-122, 42-2-125, 42-2-127.6, 42-2-304.5, 42-2-405.5, and 42-2-409, C.R.S.; Rule 8- Title 42; Rule 9- C.R.S. §§ 42-2-126, 42-2-127.7 and 42-2-127.9, 42-2-127; Rule 10- 24-4-103, 24-4-105, 24-4-106, 24-60-1101, 42-2-104 (2) (b.5), and 42-2-135 |                                |   | Yes  | Updates based on mandatory rule review | DOR, defense bar, public and law enforcement | Last week of May |
| May      | 211-3                                  | Revision                       | C.R.S. §§ 24-4-103, 42-1-204, 42-2-126 (3)(b), 42-2-127, 42-2-127.6, 42-2-125, and 42-2-127.9.   | Yes                            | Updates based on mandatory rule review    | DOR, defense bar, public and law enforcement | Last week of May                       |  |                  |

# Hearings Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:  
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 (4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

## Results of Activity Included in Last Regulatory Agenda (2020) (Rule Review items in the next section below)

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose (For the change, ex: legislation)   | Stakeholders                                 | Status  | Adoption Date (if applicable) | Comments   |
|--|--|--------------------------------|--|---|--|---------|-------------------------------|--|
| 211-1                                    | Rules for Hearings related to Matters other than Driver's Licenses (Regulatory Hearings) | Revision                       | §§ 24-4-103, 44-10-101 et seq., 44-20-101 et seq., 44-3-101 et seq., 42-3-101 et seq., 42-2-401 et seq., 44-7-101 et seq.  | Updating rules due to mandatory rule review | DOR, defense bar, public and law enforcement | Ongoing | n/a                           | Completed drafting rules, in revision phase, then will go through rule hearing process |
| 211-2                                    | Rules for Hearings Related to Driver's Licenses  | Revision                       | Rule 7- 24-4-103, 42-1-204, 42-2-122, 42-2-125, 42-2-127.6, 42-2-304.5, 42-2-405.5, and 42-2-409, C.R.S.; Rule 8- Title 42; Rule 9- C.R.S. §§ 42-2-126, 42-2-127.7 and 42-2-127.9, 42-2-127; Rule 10- 24-4-103, 24-4-105, 24-4-106, 24-60-1101, 42-2-104 (2) (b.5), and 42-2-135 | Updating rules due to mandatory rule review | DOR, defense bar, public and law enforcement | Ongoing | n/a                           | Completed drafting rules, in revision phase, then will go through rule hearing process |
| 211-3                                    | Rules for the Length of Restraint and Issuance of Probationary Driver's Licenses         | Revision                       | C.R.S. §§ 24-4-103, 42-1-204, 42-2-126 (3)(b), 42-2-127, 42-2-127.6, 42-2-125, and 42-2-127.9.   | Updating rules due to mandatory rule review | DOR, defense bar, public and law enforcement | Ongoing | n/a                           | Completed drafting rules, in revision phase, then will go through rule hearing process |

## Results of Mandatory Rules Efficiency Review

| Schedule (month & year reviewed) | Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | Statutory or other basis for adoption of rule | Did review result in revisions to regulation? | Did review result in repeal of any part of the regulation? If so, how many rules? | Did review result in repeal of entire CCR volume? | Adoption date (if applicable, if not put N/A and describe in the comments) | Comments (optional) |
|----------------------------------|--|-----------------------------------|---|---|---|---|--|---------------------|
| n/a                              |  |                                   |   |   |   |   |  |                     |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule | Purpose | Stakeholders | Status | Adoption Date (if applicable) | Comments (optional) |
|--|-----------------------------------|--------------------------------|---|---------|--------------|--------|-------------------------------|---------------------|
|--|-----------------------------------|--------------------------------|---|---------|--------------|--------|-------------------------------|---------------------|

# Hearings Division 2020 Regulatory Agenda Report

*The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7- 202(6), C.R.S., the Report must contain:*

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*(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.*

*CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.*

*The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".*

|     |  |  |  |  |  |  |  |  |
|-----|--|--|--|--|--|--|--|--|
| n/a |  |  |  |  |  |  |  |  |
|-----|--|--|--|--|--|--|--|--|

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)                          | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose   | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|--|--------------------------------|---|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)                                    |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation)   |                      |                          |
| Aug.     | 1 CCR 212-3 Rule 3-1100 Series - Accelerator Program Operations | Revision                       | s 44-10-202(1)(c), 44-10-203(2)(aa), 44-10-310(2), and 44-10-311(2), C.R.S.  | x                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules.  | MED Stakeholder list | Fall 2021                |
| Aug.     | 1 CCR 212-3 Rule 2-205 Fees                                     | Revision                       | 44-10-103, 44-10-202(1)(b), 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(j), 44-10-203(1)(i), 44-10-203(2)(b), 44-10-203(2)(h), 44-10-203(2)(q), 44-10-203(2)(w), 44-10-203(2)(dd)(XII), 44-10-303(2)(b), 44-10-310(7), 44-10-313, 44-10-401, 44-10-801, 44-10-802, 44-10-803, 44-10-1201, 44-10-1202, C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a) (II). |                                | To review fee amounts to ensure they reflect the direct and indirect costs of the State Licensing Authority pursuant to a fee analysis. | MED Stakeholder list | Fall 2021                |



# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
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- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|--|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1-212 Rule 3-1010 - Packaging and Labeling: General Requirements Prior to Transfer to a Patient or Consumer | Revision                       | 44-10-202(1)(a), 44-10-202(1)(c), 44-10-202(6), 44-10-203(2)(f), 44-10-203(1)(j), 44-10-203(3)(a)-(b), 44-10-601(2)(a), 44-10-601(5), 44-10-603(1)(d), 44-10-603(4)(a), and 44-10-603(8), C.R.S. | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
- (b) The statutory or other basis for adoption of the proposed rules;
- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)                                      | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1-212 Rule 4-110 - Regulated Marijuana Testing Program: Sampling Procedures | Revision                       | s 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), and 44-10-604(2), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a) (VII). | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

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| Schedule | Rule Number and Title (or Description)                                    | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|--|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1 CCR Rule 4-120 Regulated Marijuana Testing Program: Contaminant Testing | Revision                       | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), and 44-10-604(2), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a) (VII) | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

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| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1 CCR 212-3 Rule 4-125 - Regulated Marijuana Testing Program: Potency Testing | Revision                       | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), and 44-10-604(2), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a) (VII). | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

- (a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;
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- (c) The purpose of the proposed rules;
- (d) The contemplated schedule for adoption of the rules;
- (e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

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| Schedule | Rule Number and Title (or Description)  | New rule, revision, or repeal? | Statutory or other basis for adoption of rule   | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|---|--------------------------------|---|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)  |                                | (ex: 2-3-401, C.R.S.)   | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1 212-3 Rule 4-135 - Regulated Marijuana Testing Program: Contaminated Product and Failed Test Results and Procedures | Revision                       | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), and 44-10-604(2), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a) (VII). | X                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |
| Jan.     | 1 CCR 212-3 Rule 5-205 - Medical Marijuana Cultivation Facility: License Privileges                                   | Revision                       | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-401(2)(a)(II), 44-10-313, 44-10-502(5), and 44-10-503, C.R.S.   | x                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |

# Marijuana Enforcement Division 2021 Regulatory Agenda

The Colorado Department of Revenue (CDOR) submits the following 2021 Regulatory Agenda (Agenda) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file their Agenda. Per §2-7-202(6), C.R.S., the Agenda must contain:

(a) A list of new rules or revisions to existing rules that the department expects to propose in the next calendar year;

(b) The statutory or other basis for adoption of the proposed rules;

(c) The purpose of the proposed rules;

(d) The contemplated schedule for adoption of the rules;

(e) An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Agenda as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Agenda. The Agenda covers Calendar Year 2021 (CY21).

| Schedule | Rule Number and Title (or Description)   | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Part of Mandatory Rule Review? | Purpose  | Stakeholders         | Anticipated Hearing Date |
|----------|--|--------------------------------|--|--------------------------------|--|----------------------|--------------------------|
| month    | (ex: 1 CCR 201-1, Rule #101)   |                                | (ex: 2-3-401, C.R.S.)  | X if yes                       | (Purpose for the change, ex: legislation)                          |                      |                          |
| Jan.     | 1 CCR 212-3 Rule 6-205 - Retail Marijuana Cultivation Facility: License Privileges | Revision                       | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(j), 44-10-203(2)(r), 44-10-203(3)(c), 44-10-401(2)(b)(II), and 44-10-602, C.R.S.              | x                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |
| Aug.     | 1 CCR 212-3 Rule 3-230 - Waste Disposal  | Revision                       | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), and 44-10-203(2)(h), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16 (5)(a)(VII). | x                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Spring 2021              |
| Aug.     | 1 212-3 Rule 3-240 - Collection of Marijuana Consumer Waste                        | Revision                       | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), and 44-10-203(2)(bb), C.R.S.   | x                              | Review pursuant to §24-4-103.3, C.R.S., Mandatory Review of Rules. | MED Stakeholder list | Fall 2021                |



# Marijuana Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                |                        |                                      |   |          |    |    |         |                  |
|----------------|------------------------|--------------------------------------|---|----------|----|----|---------|------------------|
| September 2020 | 1 CCR 212-3 Rule 3-615 | Regulated Marijuana Delivery Permits | 44-10-202(1), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(n), 44-10-203(2)(dd), C. R.S. | Revision | No | No | 10/7/20 |                  |
| September 2020 | 1 CCR 212-3 Rule 6-900 | Licensed Hospitality Businesses      | 44-10-202(1), 44-10-203(2)(ff), 44-10-305(2)(b), 44-10-609, and 44-10-610, C.R.S                            | No       | No | No | N/A     | No changes made. |

## Unplanned Rulemaking - Not Part of Regulatory Agenda or Mandatory Rules Review

| Rule Number (ex: 1 CCR 201-1, Rule #101) | Rule Title (or Brief Description) | New rule, revision, or repeal? | Statutory or other basis for adoption of rule  | Purpose   | Stakeholders         | Status  | Adoption Date (if applicable) | Comments (optional) |
|--|-----------------------------------|--------------------------------|--|---|----------------------|---------|-------------------------------|---------------------|
| 1 CCR 212-3 Rule 1-105                   | Engaging in Business              | Revision                       | 44-10-102(3), 44-10-202(1)(c), and 44-10-701(2)(a), C.R.S. Unless such activity is authorized by the Colorado Constitution, article XVIII, Section 14 or Section 16, the Colorado Marijuana Code, section 25-1.5-106.5, C.R.S.   | Revision. Clarifies licensees must comply with public health and executive orders.                                    | MED Stakeholder List | Adopted | 10/07/2020                    |                     |
| 1 CCR 212-3 Rule 1-115                   | Definitions                       | Revision                       | 44-10-202(1)(c), 44-10-202(1)(j), and 44-10-103, C.R.S., and all of the Marijuana Code.  | Revision and Legislative. This rule was revised to align definitions with statute, and add definitions from HB20-1424 | MED Stakeholder List | Adopted | 10/07/2020                    |                     |
| 1 CCR 212-3 Rule 2-205                   | Fees                              | Revision                       | 44-10-103, 44-10-202(1)(b), 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(j), 44-10-203(1)(i), 44-10-203(2)(b), 44-10-203(2)(h), 44-10-203(2)(q), 44-10-203(2)(w), 44-10-203(2)(dd)(XII), 44-10-303(2)(b), 44-10-310(7), 44-10-313, 44-10-401, 44-10-801, 44-10-802, 44-10-803, 44-10-1201, 44-10-1202, C.R.S | Revision. Establishes a fee for license reinstatements  | MED Stakeholder List | Adopted | 10/07/2020                    |                     |



# Marijuana Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |   |          |   |   |                      |         |            |  |
|---------------------------|---|----------|---|---|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 2-220 | Initial Application Requirements for Regulated Marijuana Businesses | Revision | 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(a), 44-10-203(2)(w), 44-10-203(2)(ee), 44-10-203(7), 44-10-301, 44-10-305, 44-10-307, 44-10-308, 44-10-309, 44-10-310, 44-10-311, 44-10-312, 44-10-313, and 44-10-316, C.R.S | Legislative (HB20-1424). Establishes qualifications for a Social Equity License.  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-225 | Renewal Application Requirements for All Licensees                  | Revision | 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(c), 44-10-203(2)(a), 44-10-203(2)(c), 44-10-203(2)(w), 44-10-203(2)(ee), 44-10-203(7), 44-10-307, 44-10-308, 44-10-309, 44-10-313, 44-10-314, and 44-10-316 C.R.S.   | Legislative (HB20-1424) and Revision. Establishes the renewal process for the Accelerator Program, and establishes requirements and procedures to reinstate an expired license.   | MED Stakeholder List |         | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-230 | Disclosure of Financial Interests in a Regulated Marijuana Business | Revision | 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(c), 44-10-203(2)(t), 44-10-203(2)(u), 44-10-203(2)(w), 44-10-203(2)(ee), 44-10-203(7), 44-10-308, 44-10-309, and 44-10-316, C.R.S.   | Revision. Establishes disclosure requirements for Trust that are Beneficial Owners identified in every initial, renewal, and change of owner application  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-235 | Persons Subject to a Mandatory Finding of Suitability               | Revision | 44-10-202(1)(e), 44-10-203(2)(c), 44-10-203(2)(ee), 44-10-309, 44-10-310, and 44-10-312(4), C.R.S. Section 44-10-310, C.R.S.  | Revision. Clarifies that any Controlling Beneficial Owner is a trust they must also be found suitable.  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-245 | Change of Controlling Beneficial Owner Application or Notification  | Revision | 44-10-202(1)(e), 44-10-203(1)(d), 44-10-203(1)(j), 44-10-203(2)(ee) (l)(A) and (E), 44-10-203(7), 44-10-308(3)(b), 44-10-309, 44-10-310, 44-10-311, and 44-10-312, C.R.S.   | Revision. Adds that only consensual reallocations where all Controlling Beneficial Owners whose ownership percentages will change agree to the reallocation are permitted under this Rule. Also makes minor changes such as adding headers for clarity. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-255 | Change of Location of a Regulated Marijuana Business                | Revision | 44-10-202(1)(e), 44-10-203(2)(ee) (l), 44-10-203(7), and 44-10-309(6), C.R.S.   | Revision. Adds that the Division will not accept an application for a transition permit unless it is submitted prior to or concurrently with a change of location application.  | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

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Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |  |          |  |  |                      |         |            |  |
|---------------------------|--|----------|--|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 2-260 | Changing, Altering, or Modifying Licensed Premises   | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(e), 44-10-203(1)(j), 44-10-203(2)(a), 44-10-203(2)(h), 44-10-203(2)(w), 44-10-305, 44-10-313(8)(b), and 44-10-313(2) C. R.S.  | Revision. Adds emergency exemption for Covid-19, and adds walk up or drive up windows as examples of Material or substantial changes needing division support.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 2-265 | Owner and Employee License: License Requirements, Applications, Qualifications, and Privileges | Revision | 44-10-202(1)(c), 44-10-202(1)(e), 44-10-203(2)(b)-(c), 44-10-203(2)(e), 44-10-203(2)(t)-(u), 44-10-203(2)(w), 44-10-307, 44-10-308(2), 44-10-313(6), 44-10-401(2)(c), 44-10-901(1), and 24-76.5-101 et seq., C.R.S | Legislative (HB20-1080). Removes the residency requirement for employee licenses, removes the workforce training program and amends the documentation needed to prove residency.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-215 | Regulated Marijuana Businesses: Shared Licensed Premises and Operational Separation            | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(d)(l)-(vi), 44-10-401, 44-10-501, 44-10-502, 44-10-503, 44-10-504, 44-10-601, 44-10-602, 44-10-603, 44-10-604, C.R.S.   | Revision. Utilizes the term Regulated Marijuana testing facilities   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-220 | Security Alarm Systems and Lock Standards  | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(e), and 29-2-114(8)(a), C.R.S. and Article XVIII, Subsection 16(5)(a)(IV) of the Colorado Constitution.   | Revision. Allows for night vision cameras  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-230 | Waste Disposal   | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), and Article XVIII, Subsection 16(5)(a)(VII) of the Colorado Constitution  | Revision. Allows for more sustainable options including for Regulated Marijuana waste including composting, anaerobic digestion, pyrolyzing into biochar or biomass gasification. Allows a Regulated Marijuana Business to transfer only the stalks, stems, fan leaves, and roots from Regulated Marijuana to an area outside the Licensed Premises that is under the Licensee's possession and control or to an unlicensed third-party. It also permits a Regulated Marijuana Business with cultivation privileges may reintroduce its own or Regulated Marijuana waste obtained from another Regulated Marijuana Business. | MED Stakeholder List |         | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

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(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

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The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |   |          |  |   |                      |         |            |  |
|---------------------------|---|----------|--|---|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 3-235 | Transfers of Fibrous Waste  | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(2)(h), 44-10-203(2)(i), 44-10-203(1)(j), and 44-10-203(2)(x), C.R.S.   | Legislative (HB20-1424). Extends the rule to Accelerator manufacturers and cultivators.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-240 | Collection of Marijuana Consumer Waste  | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(dd)(XIII), 44-10-609(1), 44-10-610(1), and 44-10-301(3)(b) C.R.S. and Article XVIII, Subsection 16(5)(f) of the Colorado Constitution   | Revision. Expands the rule to include all Regulated Marijuana Businesses, and outlines which Regulated Marijuana Businesses can collect what consumer waste, and what must happen before reusing the consumer waste.  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-315 | Independent Health and Safety Audit   | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(1)(g), 44-10-203(2)(g), 44-10-203(2)(h), 44-10-203(2)(i), and 44-10-1001(2), C.R.S and Article XVIII, Subsection 16(5)(a)(VII) of the Colorado Constitution                         | Legislative (HB20-1424) and Revision. Adds Accelerator Manufacturer and Cultivator, and establishes that if a Licensee committed a deliberate and willful violation or there is a substantial danger to public health and safety, and incorporates such findings into its order, it may order summary suspension of the Regulated Marijuana Business license. | MED Stakeholder List |         | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-325 | Prohibited Chemicals  | Revision | 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(g), 44-10-203(2)(h), 44-10-203(2)(dd)(X), and 44-10-203(3)(c), C.R.S. and Colorado Constitution at Article XVIII, Subsection 16(5)(a)(VII)                                       | Legislative (HB20-1424) and Revision. Adds Accelerator cultivators, and provides an exemption for R&D licensees from the prohibition of DMSO  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-330 | Cultivation of Regulated Marijuana: Specific Health and Safety Requirements   | Revision | 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(g), 44-10-203(2)(h), 44-10-203(2)(i), 44-10-203(3)(c), 44-10-203(3)(e), and 44-10-1001, C.R.S.   | Legislative (HB20-1424). Adds Accelerator Cultivators   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-335 | Production of Regulated Marijuana Concentrate and Regulated Marijuana Products: Specific Health and Safety Requirements | Revision | 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(2)(g), 44-10-03(2)(h), 44-10-203(2)(i), 44-10-202(2)(y), 44-10-203(3)(b), 44-10-03(3)(c), 44-10-203(3)(d), 44-10-03(3)(e), 44-10-203(3)(g), and 44-10-1001, C.R.S. | Legislative (HB20-1424)and revision. Adds Accelerator Manufacturer, adds additional prohibitions on ingredients, adds requirements for expiration dates for vaporizers and MDI and clarifies requirements on the universal symbol.  | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

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(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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|                           |   |          |   |  |                      |         |            |  |
|---------------------------|---|----------|---|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 3-336 | Recall of Regulated Marijuana   | New      | 44-10-202(1)(b)-(c), 44-10-203(1)(j), 44-10-203(2)(d)(l)-(VI), 44-10-203(2)(m), 44-10-401(2)(a)(III), 44-10-503, and 44-10-901(1), C.R.S.   | Revision. This rule establishes minimum requirements for a recall plan, the process by which the Division or a Regulated Marijuana Business initiates a product recall, the requirements any recall must meet, and how such recall is terminated.      | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-405 | Identification  | Revision | 4-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(v), 44-10-203(2)(z), 44-10-401(2)(a)(I), 44-10-401(2)(b)(I), 44-10-501(3)(b), 44-10-501(3)(c), 44-10-501(3)(d), 44-10-501(4), 44-10-501(10)(b)(II), 44-10-601(3)(b), 44-10-701(1)(b), 44-10-701(2)(a), 44-10-701(4)(a), and 44-10-701(5)(a), C.R.S. | Legislative (HB20-1424) Adds Accelerator Store   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-520 | Certification Training Class Core Curriculum                                    | Revision | 44-10-202(1)(c), 44-12-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(v), 44-203(2)(dd)(II), 44-10-609(3)(b), 44-10-1201, and 44-10-1202, C.R.S.  | Legislative (HB20-1424) Adds Accelerator Store and clarifies that training shall also include statutory and regulatory requirements related to Regulated Marijuana delivery  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-605 | Transport: All Regulated Marijuana Businesses                                   | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(n), 44-10-203(3)(c), 44-10-313(5)(b), 44-10-505, and 44-10-605 C.R.S.  | Revision. Strikes Medical Research Facility  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-610 | Off-Premises Storage of Regulated Marijuana: All Regulated Marijuana Businesses | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(n), 44-10-505(2), 44-10-605(2), and 44-10-1001(2), C.R.S.  | Revision. Reorganized for clarity and clarifies that an off-premises storage facility shall not be used as a distribution center for Transfers to Regulated Marijuana Businesses without identical Controlling Beneficial Owners or for consideration. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 3-720 | Advertising: All Media  | Revision | Article XVIII, Sections 14 and 16 of the Colorado Constitution and 44-10-203(3)(a), C.R.S.  | Revision. Clarifies what constitute advertising.   | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

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 (4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S. The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register. CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S. CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report. The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |  |          |  |   |                      |         |            |  |
|---------------------------|--|----------|--|---|----------------------|---------|------------|--|
| 1 CCR 212-3 Rule 3-905    | Business Records Required  | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-301, and 44-10-1001(1), C.R.S   | Revision. Adds the requirement that recall records be maintained  | MED Stakeholder List |         | 10/07/2020 |  |
| 1 CCR 212-3 Rule 3-930    | Request for Business Records from the Division   | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-204, 44-10-301, and 44-10-1001(1), C.R.S   | Revision. This rule identifies the business records a Licensee can request from the Division and how the business records will be provided to the Licensee  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3 Rule 3 - 1005 | Packaging and Labeling: Minimum Requirements Prior to Transfer to a Regulated Marijuana Business, except to a Marijuana Testing Facility | Revision | 44-10-202(1)(a), 44-10-202(1)(c), 44-10-202(6), 44-10-203(2)(f), 44-10-203(1)(j), 44-10-203(3)(a)-(b), 44-10-601(2)(a), 44-10-601(5), 44-10-603(1)(d), 44-10-603(4)(a), and 44-10-603(8), C.R.S. | Legislative (HB20-1424) and revision. Clarifies that this rule does not apply to Regulated Marijuana Testing Facilities. Adds Accelerator Cultivators and Manufacturers   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3 Rule 3-1010   | Packaging and Labeling: General Requirements Prior to Transfer to a Patient or Consumer  | Revision | 44-10-202(1)(a), 44-10-202(1)(c), 44-10-202(6), 44-10-203(2)(f), 44-10-203(1)(j), 44-10-203(3)(a)-(b), 44-10-601(2)(a), 44-10-601(5), 44-10-603(1)(d), 44-10-603(4)(a), and 44-10-603(8), C.R.S  | Legislative (HB20-1424) and Revision. Adds Accelerator Manufacturer, Cultivator, and Store. Adds Vaporizer and MDI must have an expiration date and maintain storage conditions outlined in Rule 3-335(M), Patient number should be on the container or marketing layer at the time of transfer to the patient, | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3 Rule 3-1025   | Packaging and Labeling: Minimum Requirements for Test Batch Transfers to a Marijuana Testing Facility                                    | New      | 44-10-202(1)(a), 44-10-202(1)(c), 44-10-202(6), 44-10-203(2)(f), 44-10-203(1)(j), 44-10-203(3)(a)-(b) C.R.S.   | Revision. This rule defines minimum packaging and labeling requirements for Regulated Marijuana, Regulated Marijuana Concentrate, and Regulated Marijuana Product transferred to a Regulated Marijuana Testing Facility   | MED Stakeholder List | Adopted | 10/07/2020 |  |

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|---------------------------|---|----------|--|---|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 4-110 | Regulated<br>Marijuana Testing<br>Program: Sampling<br>Procedures               | Revision | s 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), 44-10-604(2), C.R.S. and Colorado Constitution at Article XVIII, Subsection 16(5)(a)(VII) | Revision. Makes changes to the sampling procedures, and addsa Test Batch Collector. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 4-115 | - Regulated<br>Marijuana Testing<br>Program: Sampling<br>and Testing<br>Program | Revision | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), 44-10-604(2), C.R.S. and Colorado Constitution at Article XVIII, Subsection 16(5)(a)(VII).  | Revision. Adds a photo documentation requirement and testing for water activity.    | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 4-120 | Regulated<br>Marijuana Testing<br>Program:<br>Contaminant<br>Testing            | Revision | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), 44-10-604(2), C.R.S. and Colorado Constitution Article XVIII, Subsection 16(5)(a)(VII)      | Legislative (HB20-1424). Adds Accelerator Cultivators and Manufacturers             | MED Stakeholder List | Adopted | 10/07/2020 |  |

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|---------------------------|--|----------|---|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 4-135 | Regulated Marijuana Testing Program: Contaminated Product and Failed Test Results and Procedures | Revision | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(g), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-501(6), 44-10-502(3), 44-10-503(8), 44-10-504(1)(b), 44-10-504(2), 44-10-601(4), 44-10-602(4), 44-10-603(6), 44-10-604(1)(b), 44-10-604(2), C.R.S. and Colorado Constitution at Article XVIII, Subsection 16(5)(a)(VII). | Legislative (HB20-1424). Adds Accelerator Cultivators and Manufacturers  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 5-105 | Medical Marijuana Store: License Privileges  | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(d)(I)-(VI), 44-10-313(7), 44-10-313(4), 44-10-401(2)(a)(I), 44-10-501, and 44-10-505, C.R.S.   | Revision. Adds Walk up and drive up windows.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 5-115 | Medical Marijuana Sales: General Limitations or Prohibited Acts                                  | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-313(7), 44-10-313(4), 44-10-401(2)(a)(I), 44-10-501, 44-10-505, 44-10-501(10) C.R.S. and Colorado Constitution at Article XVIII, Subsection 14(4)   | Revision. Small edits for clarity  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 5-205 | Medical Marijuana Cultivation Facility: License Privileges                                       | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-401(2)(a)(II), 44-10-313, 44-10-502(5), and 44-10-503, C.R.S.   | Revision. Requires disclosure of common owner  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 5-305 | Medical Marijuana Products Manufacturer: License Privileges                                      | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(d)(I)-(VI), and 44-10-503, C.R.S.  | Revision. Allows a cultivation that does not have 180 operating history to tier up   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 5-415 | Medical Marijuana Testing Facilities: Certification Requirements                                 | Revision | 44-10-202(1)(c), 44-10-203(2)(h), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f)(II), 44-10-203(2)(f)(IV), 44-10-203(3)(d), 44-10-203(3)(e), 44-10-313(8)(a), 44-10-401(2)(a)(IV), and 44-10-504, C.R.S.   | Revision. Stikes requirements for non ISO certified testing facilities and allow testing facilities to require payment before inputting results. | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |   |          |  |   |                      |         |            |  |
|---------------------------|---|----------|--|---|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 5-505 | Medical Marijuana<br>Transporter:<br>License Privileges   | Revision | 44-10-202(1)(c), 44-10-203(1)(c),<br>44-10-203(1)(j), 44-10-203(2)(h),<br>44-10-203(2)(n), 44-10-203(3)(c),<br>44-10-401(2)(a)(V), 44-10-505, C.<br>R.S.   | Revision. Clarifies a Medical Marijuana<br>Transporter may not sell, give away, buy, or<br>receive complimentary Medical Marijuana                        | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-205 | Retail Marijuana<br>Cultivation<br>Facility: License<br>Privileges  | Revision | 44-10-202(1)(c), 44-10-203(1)(c),<br>44-10-203(1)(j), 44-10-203(2)(h),<br>44-10-203(2)(j), 44-10-203(2)(r),<br>44-10-203(3)(c), 44-10-401(2)(b)<br>(II),<br>and 44-10-602, C.R.S.  | Revision. Requires disclosure of common owner   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-305 | Retail Marijuana<br>Products<br>Manufacturer:<br>License Privileges   | Revision | 44-10-202(1)(c), 44-10-203(1)(a),<br>44-10-203(2)(d), 44-10-203(2)(f),<br>44-10-203(2)(g), 44-10-203(2)(i),<br>44-10-203(2)(y), 44-10-307(1)(j),<br>44-10-401(2)(b)(III), 44-10-603,<br>C.R.S.   | Revision. Allows a cultivation that does not have<br>180 operating history to tier up   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-315 | Retail Marijuana<br>Products<br>Manufacturing<br>Facility: Retail<br>Marijuana<br>Concentrate<br>Production | Revision | 44-10-202(1)(c), 44-10-203(1)(a),<br>44-10-203(1)(c), 44-10-203(1)(j),<br>44-10-203(2)(g), 44-10-203(2)(i),<br>44-10-401(2)(b)(III), and 44-10-<br>603, C.R.S  | Revision. Stikes requirements for non ISO<br>certified testing facilities and allow testing<br>facilities to require payment before inputting<br>results. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-405 | Retail Marijuana<br>Testing Facilities:<br>License Privileges   | Revision | 44-10-202(1)(a), 44-10-202(1)(b),<br>44-10-202(1)(c), 44-10-202(4), 44-<br>10-203(1)(a), 44-10-203(1)(c), 44-<br>10-203(1)(j), 44-10-203(2)(c), 44-<br>10-203(2)(d), 44-10-203(2)(h),<br>44-10-203(2)(y), 44-10-203(3)(c),<br>44-10-203(3)(d), 44-10-313(8)(a),<br>44-10-401(2)(b)(IV), 44-10-604,<br>35-61-104, and 35-61-105.5, C.R.<br>S. T | Revision. Clarifies a Medical Marijuana<br>Transporter may not sell, give away, buy, or<br>receive complimentary Medical Marijuana                        | MED Stakeholder List | Adopted | 10/07/2020 |  |



# Marijuana Enforcement Division 2020 Regulatory Agenda Report

The Colorado Department of Revenue (CDOR) submits the following 2020 Departmental Regulatory Agenda Report (Report) in fulfillment of the statutory requirements set forth in §2-7-202(6), 2-7-203, and 24-4-103.3(4), C.R.S. Pursuant to state law, annually on November 1 executive-branch agencies must file the Report in order to provide results of the past year's rulemaking activity. Pursuant to §2-7-202(6), C.R.S., the Report must contain:

(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

CDOR must also present its Report as part of its "SMART Act" presentation pursuant to §2-7-203(2)(a), C.R.S.

CDOR works with several boards and commissions that promulgate rules; for ease of use for the consumer, those rules are included in CDOR's Report.

The Report covers Calendar Year 2020 (CY20). Rules that will be completed after November 1, 2020, are be marked as "ongoing" or "in progress".

|                           |   |          |  |  |                      |         |            |  |
|---------------------------|---|----------|--|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 6-415 | Retail Marijuana Testing Facilities: Certification Requirements                       | Revision | 44-10-202(1)(a), 44-10-202(1)(b), 44-10-202(1)(c), 44-10-202(4), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(c), 44-10-203(2)(d), 44-10-203(2)(h), 44-10-203(2)(y), 44-10-203(3)(c), 44-10-203(3)(d), 44-10-401(2)(b)(IV), and 44-10-604, C.R.S. | Revision. Stikes requirements for non ISO certified testing facilities and allow testing facilities to require payment before inputting results.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-510 | Retail Marijuana Transporter: General Limitations or Prohibited Acts                  | Revision | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(n), 44-10-203(3)(c), 44-10-401(2)(b)(V), and 44-10-605, C.R.S.  | Revision. Clarifies a Medical Marijuana Transporter may not sell, give away, buy, or receive complimentary Medical Marijuana   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-705 | Accelerator Cultivator: License Privileges  | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(h), 44-10-203(2)(j), 44-10-203(2)(r), 44-10-203(2)(aa), 44-10-203(3)(c), 44-10-401(2)(b)(VII), 44-10-602, and 44-10-607 C.R.S.   | Legislative (Hb20-1424). This rule establishes the licensure privileges granted by the State Licensing Authority to an Accelerator Cultivator licensee   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-710 | Accelerator Cultivator: General Limitations or Prohibited Acts                        | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(f), 44-10-203(2)(h), 44-10-203(2)(j), 44-10-602, 44-10-701(2)(a), C.R.S  | Legislative (Hb20-1424). This rule clarifies those acts that are limited in some fashion, or prohibited, by an Accelerator Cultivator  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-715 | Accelerator Marijuana Cultivation Facilities: Retail Marijuana Concentrate Production | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(g), 44-10-203(2)(i), 44-10-203(2)(r), 44-10-401(2)(b)(VII), and 44-10-602, C.R.S.   | Legislative (Hb20-1424). This rule establishes the categories of Retail Marijuana Concentrate that may be produced at Accelerator Cultivator and standards for the production of Retail Marijuana Concentrate. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-720 | Accelerator Cultivator Production Management  | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(6), 44-10-401(2)(b)(VII), 44-10-602 and 44-10-607 C.R.S.  | Legislative (Hb20-1424). This rule establishes a means by which to manage the overall production of Retail Marijuana in the state of Colorado  | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

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(f) Commencing with departmental regulatory agendas submitted on and after November 1, 2013, a list and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Pursuant to §24-4-103.3(4), C.R.S., the Report must contain:

(4) Each principal department shall include a report on the results of its mandatory review of rules as part of its departmental regulatory agenda that it submits to the staff of the legislative council for distribution to the applicable committee of reference of the general assembly as outlined in section 2-7-203, C.R.S.

The Agenda is to be filed with Legislative Council Staff for distribution to committee(s) of reference, posted on CDOR's website, and submitted to the State Library, the Colorado Department of Regulatory Agencies, and the Secretary of State for publication in the Colorado Register.

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|                            |  |     |   |  |                      |         |            |  |
|----------------------------|--|-----|---|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 6-805  | Accelerator<br>Manufacturer:<br>License Privileges   | New | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(2)(g), 44-10-203(2)(i), 44-10-203(2)(y), 44-10-203(2)(aa), 44-10-307(1)(j), 44-10-401(2)(b)(VIII), 44-10-603 and 44-10-608, C.R.S.  | Legislative (Hb20-1424). This rule is to establishes the license privileges granted by the State Licensing Authority to an Accelerator Manufacturer.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-810  | Accelerator<br>Manufacturer:<br>General<br>Limitations or<br>Prohibited Acts                               | New | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(f), 44-10-203(2)(g), 44-10-203(2)(h), 44-10-203(2)(i), 44-10-203(2)(y), 44-10-203(2)(aa), 44-10-203(3)(d), 44-10-401(2)(b)(VIII), 44-10-603, 44-10-608 and 44-10-701(2)(a), C.R.S. | Legislative (Hb20-1424). This rule clarifies those acts that are limited in some fashion or prohibited by an Accelerator Manufacturer.   | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-815  | Accelerator<br>Manufacturer:<br>Retail Marijuana<br>Concentrate<br>Production                              | New | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(g), 44-10-203(2)(i), 44-10-401(2)(b)(VIII), 44-10-203(2)(aa), 44-10-603, and 44-10-608, C.R.S.   | Legislative (Hb20-1424). This rule establishes the categories of Retail Marijuana Concentrate that may be produced at an Accelerator Manufacturer and establish standards for the production of Retail Marijuana Concentrate                 | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-825  | Accelerator<br>Products<br>Manufacturing<br>Facility: Audited<br>Product and<br>Alternative Use<br>Product | New | 44-10-202(1)(c), 44-10-203(1)(a), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(d), 44-10-203(2)(f), 44-10-203(2)(g), 44-10-203(2)(i), 44-10-203(2)(y), 44-10-203(3)(b), 44-10-203(3)(e), 44-10-401(2)(b)(VIII), 44-10-603, 44-10-701(3)(c) and 44-10-608, C.R.S.  | Legislative (Hb20-1424). This rule defines audit, insurance, minimum product requirements, minimum production process requirements, and pre-production testing requirements for Accelerator Manufacturers that manufacture Audited Products. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-1105 | Accelerator Store:<br>License Privileges   | New | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(aa), 44-10-203(2)(dd), 44-10-401(2)(b)(l), 44-10-601, 44-10-605, and 44-10-611, C. R.S.  | Legislative (Hb20-1424). This rule establishes the license privileges of an Accelerator Store.   | MED Stakeholder List | Adopted | 10/07/2020 |  |

# Marijuana Enforcement Division 2020 Regulatory Agenda Report

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|                            |  |          |  |  |                      |         |            |  |
|----------------------------|--|----------|--|--|----------------------|---------|------------|--|
| 1 CCR 212-3<br>Rule 6-1110 | Accelerator Store:<br>General<br>Limitations or<br>Prohibited Acts | New      | 44-10-202(1)(c), 44-10-203(2)(g), 44-10-203(2)(h), 44-10-203(4)(b), 44-10-203(1)(j), 44-10-203(2)(aa), 44-10-401(2)(b)(l), 44-10-601, 44-10-611, 44-10-701(1)(a), and 44-10-701(3)(d) and (f), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsections 16(3)(a), 16(5)(a)(V) and 16(5)(a)(VIII). | Legislative (Hb20-1424). This rule clarifies acts that are limited in some fashion, or prohibited, by an Accelerator Store.  | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 6-1115 | Point of Sale:<br>Restricted Access<br>Area                        | New      | 44-10-202(1)(c), 44-10-203(1)(c), 44-10-203(1)(j), 44-10-203(2)(z), 44-10-203(2)(aa), 44-10-202(3)(h), 44-10-401(2)(b)(l), and 44-10-611, C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsections 16(5)(a)(V) and 16(5)(a)(VIII).  | Legislative (Hb20-1424). This rule establishes that an Accelerator Store must control and safeguard access to certain areas where Retail Marijuana and Retail Marijuana Product will be sold to the general public and prevent the diversion of Retail Marijuana and Retail Marijuana Product to people under 21 years of age. | MED Stakeholder List | Adopted | 10/07/2020 |  |
| 1 CCR 212-3<br>Rule 8-235  | Penalties  | Revision | 44-10-202(1)(c), 44-10-203(1)(j), 44-10-203(2)(l), 44-10-701, and 44-10-901(3)(b), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a)(IX)   | Revision to clarify The State Licensing Authority may pursue a violation in any of the categories described in this Rule and is not required to prove harm from any of the alleged violation types.  | MED Stakeholder List | Adopted | 10/07/2020 |  |