

2016

Regulatory Agenda **Report**



COLORADO

Department of Local Affairs

Overview

Pursuant to Colo. Rev. Stat. §2-7-203(4), the Department of Local Affairs (DOLA) submits the following 2016 Regulatory Agenda Report. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda, this Regulatory Agenda Report details the results of the past year’s rules review activity, including the results of mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4) as part of the Department’s “Regulatory Efficiencies Reviews.”

This report includes the following items:

- “Rulemaking included in 2016 Regulatory Agenda,” providing an update of rules included in the Department’s 2016 Regulatory Agenda (filed on November 1st, 2015)
- “Rulemaking not included in 2016 Regulatory Agenda,” providing a summary of rule activity not included in the 2016 Regulatory Agenda
- “Results of Mandatory Rules Review,” providing a summary of the activities and outcomes associated with the Department’s mandatory rule reviews conducted under Colo. Rev. Stat. §24-4-103.3(4)

Rulemaking included in 2016 Regulatory Agenda

Rule Number and Title	Division/ Board/ Program	New rule or revision?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
8 CCR 1302-9 Home Investment Trust Fund - Short Term Loans	Division of Housing	REPEALED in its Entirety	HB14-1017 revised the Division’s administration of the housing investment trust fund C.R.S. 24-32-717.	HB14-1017 made the rule obsolete and unnecessary.		Developers, service providers, local governments	REPEALED 3/20/2016	Public Hearing - 1/12/2016; State Housing Board meeting - 2/9/2016
8 CCR 1304-1 Rules and Regulations Governing Personal Property Deduction,	Division of Property Taxation	Revision	We are pursuing this on the advice of Legislative Legal Services	Repeal obsolete rules that have been replaced by information in the Assessors’ Reference Library as published by the	No later than November 10, 2016.	Assessors and owners of mobile homes.	Notice of rulemaking hearing to be published on October 10, 2016.	Repeal of rules to be effective by December 31, 2016.

Valuation and Depreciation of Mobile Home				Property Tax Administrator.				
8 CCR 1304-2 Rules and Regulations For Exempt Properties	Division of Property Taxation	Revision	C.R.S. 39-2-117(7).	Updates to conform rules to statutory changes to C.R.S. 39-3-116 and the enactment of C.R.S. 39-3-113.5.	No later than November 10, 2016.	Applicants seeking property tax exemption and property owners that already have them. Also county assessors.	Notice of rulemaking hearing to be published on October 10, 2016.	Amendments to rules to be effective by December 31, 2016.
8 CCR 1308-1 Private Activity Bond Program Rules	Division of Housing	Repeal	SB09-041 C.R.S 24-32-1700	Repeal obsolete rules following adoption of SB09-041.	March/April 2017	Housing Authorities	Scheduled to commence Oct/Nov 2016.	
8 CCR 1506-1 General Rules of Procedure and Abstract of Assessment Hearings	Division of Property Taxation	Revision	The State Board of Equalization has rulemaking authority in C.R.S. 39-9-103(8). The Division of Property Taxation is assisting.	General review to detect any needed changes and write appropriate updates.		County Assessors and Boards of County Commissioners.	In Progress.	Public hearing will be held in Dec 2016.

Rulemaking not included in 2016 Regulatory Agenda

Rule Number and Title	Division/ Board/ Program	New rule or revision?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status	Comments
8 CCR 1302-7 Manufactured Housing Installations	Division of Housing - Codes Section	Revision	C.R.S 24-32-33	Fee changes, minor language changes	Adopted 3/16/2016	Installers, Inspectors, Local Building officials, Consumers	Revisions Adopted 3/16/2016	<ul style="list-style-type: none"> 8/13/16 - stakeholder presentation at Rocky Mountain Home Association Conference 10/6/16 - DOH Technical Assistance Committee meets to discuss and approve proposed rule changes 10/14 - 10/30/16 - DOLA completes Executive Order 5 process (1 of 997 surveys returned) 1/4/16 - Public hearing held (no opposition) 1/12/16 - State Housing Board meeting held (rules adopted)
8 CCR 1302-8 On-site Construction and Safety Codes for Motels, Hotels	Division of Housing - Codes Section	Revision	C.R.S 24-32-33	Fee changes, adoption of the 2015 IECC	Adopted 3/16/2016	Contractors, Inspectors, Local Building officials, Consumers	Revisions Adopted 3/16/2016	<ul style="list-style-type: none"> 8/13/16 - stakeholder presentation at Rocky Mountain Home Association

<p>and Multi-Family Dwellings in those areas of the State Without Codes</p>								<ul style="list-style-type: none"> • Conference 10/6/16 - DOH Technical Assistance Committee meets to discuss and approve proposed rule changes • 10/14 - 10/30/16 - DOLA completes Executive Order 5 process (1 of 997 surveys returned) • 1/4/16 - Public hearing held (no opposition) • 1/12/16 - State Housing Board meeting held (rules adopted)
<p>8 CCR 1302-11 Factory built Non-Residential Structures</p>	<p>Division of Housing - Codes Section</p>	<p>Revision</p>	<p>C.R.S 24-32-33</p>	<p>Fee changes, adoption of the 2015 IECC, minor language changes</p>	<p>Adopted 3/16/2016</p>	<p>Manufacturers, Inspectors, Local Building officials, Consumers</p>	<p>Revisions Adopted 3/16/2016</p>	<ul style="list-style-type: none"> • 8/13/16 - stakeholder presentation at Rocky Mountain Home Association Conference • 10/6/16 - DOH Technical Assistance Committee meets to discuss and approve proposed rule changes • 10/14 - 10/30/16 - DOLA

								<p>completes Executive Order 5 process (1 of 997 surveys returned)</p> <ul style="list-style-type: none"> • 1/4/16 - Public hearing held (no opposition) • 1/12/16 - State Housing Board meeting held (rules adopted)
8 CCR 1302-12 Factory Built Housing	Division of Housing - Codes Section	Revision	C.R.S 24-32- 33	Fee changes, adoption of the 2015 IECC, minor language changes	Adopted 3/16/2016	Manufacturers, Inspectors, Local Building officials, Consumers	Revisions Adopted 3/16/2016	<ul style="list-style-type: none"> • 8/13/16 - stakeholder presentation at Rocky Mountain Home Association Conference • 10/6/16 - DOH Technical Assistance Committee meets to discuss and approve proposed rule changes • 10/14 - 10/30/16 - DOLA completes Executive Order 5 process (1 of 997 surveys returned) • 1/4/16 - Public hearing held (no opposition) • 1/12/16 - State Housing Board meeting held (rules adopted)

8 CCR 1307-1 Search and Rescue	Division of Local Government	Repealed 3 of the 7 Rules	C.R.S 33-1- 112.5	Repealed rules not statutorily authorized.	Adopted 5/4/2016	Colorado Sheriffs and Search and Rescue Teams statewide	Repealed 3 of 7 Rules 6/30/2016	<ul style="list-style-type: none"> • 3/9/2016 Notice Published in Colorado Register • 4/18/2016 Notice of Intent to Participate due for participating in the public hearing • 5/4/2016 Public Hearing Held and Adopted • 6/30/2016 Rules Repealed
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Results of Mandatory Rules Review

Rule Number (CCR) and Title	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	If revisions/repeals are completed, identify the adopted date
<i>List of new rules or amendments that the department/ its divisions have reviewed, revised, or adopted in the past year</i>	<i>Within the Department, what sub-group is responsible for the rule?</i>	<i>The statutory or other basis for adoption of the proposed rule</i>		<i>Y/N</i>	<i>Y/N - if yes, specify what part</i>	<i>Y/N</i>	<i>If date is not yet identified, label as "pending"</i>

No additional rules were revised or adopted as a result of the Rule Review Process.