

SENATE COMMITTEE OF REFERENCE REPORT

March 20, 2019

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Chair of Committee

\_\_\_\_\_  
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB19-104 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** article 99 to  
4 title 22 as follows:

5 **ARTICLE 99**

6 **Eliminate Duplicate Regulations**

7 **22-99-101. Elimination of duplicate regulations commission -**  
8 **creation - definition.** (1) THERE IS CREATED IN THE DEPARTMENT OF  
9 EDUCATION THE ELIMINATION OF DUPLICATE REGULATIONS COMMISSION,  
10 REFERRED TO IN THIS ARTICLE 99 AS THE "COMMISSION".

11 (2) THE COMMISSION CONSISTS OF:

12 (a) THE COMMISSIONER OF EDUCATION, OR HIS OR HER DESIGNEE;

13 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
14 SERVICES, OR HIS OR HER DESIGNEE;

15 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
16 HEALTH AND ENVIRONMENT, OR HIS OR HER DESIGNEE; AND

17 (d) AT LEAST THREE PRACTITIONERS, APPOINTED BY THE  
18 COMMISSIONER OF EDUCATION, WHOSE PROGRAMS ARE IN GOOD LICENSING  
19 STANDING WITH THE DEPARTMENT OF HUMAN SERVICES AND ARE  
20 OPERATED BY, OR ON BEHALF OF, A SCHOOL DISTRICT, DISTRICT CHARTER  
21 SCHOOL, OR INSTITUTE CHARTER SCHOOL.

22 (3) FOR PURPOSES OF THIS ARTICLE 99, UNLESS THE CONTEXT  
23 OTHERWISE REQUIRES, "PROGRAM" MEANS A SCHOOL-AGED CHILD CARE  
24 PROGRAM THAT HOLDS A LICENSE PURSUANT TO PART 1 OF ARTICLE 6 OF

1 TITLE 26, INCLUDING A BEFORE AND AFTER SCHOOL PROGRAM, DAY CAMP,  
2 SUMMER CAMP, EXTENDED DAY PROGRAM, OR PLAYGROUND PROGRAM,  
3 AND OPERATES ON THE PROPERTY OF A SCHOOL DISTRICT, DISTRICT  
4 CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL.

5 **22-99-102. Duties.** (1) THE COMMISSION SHALL:

6 (a) ANALYZE AND IDENTIFY DUPLICATE REGULATIONS  
7 PROMULGATED BY THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF  
8 HUMAN SERVICES, AND THE DEPARTMENT OF PUBLIC HEALTH AND  
9 ENVIRONMENT RELATING TO HEALTH AND SAFETY REQUIREMENTS FOR  
10 PROGRAMS, INCLUDING, WITHOUT LIMITATION, THE ACTIVE OVERSIGHT  
11 AND MONITORING OF SUCH PROGRAMS; AND

12 (b) IDENTIFY WHICH REGULATIONS DESCRIBED IN SUBSECTION  
13 (1)(a) OF THIS SECTION MAY BE ELIMINATED, REVISED, OR DELEGATED TO  
14 THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HUMAN SERVICES,  
15 OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO  
16 ELIMINATE DUPLICATE REGULATIONS AND ENSURE THE EFFICIENT  
17 REGULATION OF THE HEALTH AND SAFETY REQUIREMENTS FOR PROGRAMS.

18 (2) WHEN PERFORMING THE DUTIES IN SUBSECTION (1) OF THIS  
19 SECTION, THE COMMISSION SHALL:

20 (a) CONSIDER AND PRIORITIZE ORAL AND WRITTEN PUBLIC  
21 TESTIMONY;

22 (b) CONSIDER AND PRIORITIZE UPDATING REGULATIONS  
23 CONSISTENT WITH EVIDENCE-BASED RESEARCH REGARDING THE HEALTH  
24 AND SAFETY OF CHILDREN; AND

25 (c) CONSIDER AND PRIORITIZE UPDATING REGULATIONS TO ALIGN  
26 WITH REQUIREMENTS FOR FEDERAL FUNDING ELIGIBILITY.

27 (2) ON OR BEFORE JUNE 30, 2020, THE DEPARTMENT OF  
28 EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, AND THE  
29 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL COMMENCE  
30 RESPECTIVE RULE-MAKING PROCEEDINGS CONSISTENT WITH THE  
31 OUTCOMES OF THE COMMISSION.

32 **22-99-103. Repeal of article.** THIS ARTICLE 99 IS REPEALED,  
33 EFFECTIVE JULY 1, 2021.

34 **SECTION 2. Act subject to petition - effective date.** This act  
35 takes effect at 12:01 a.m. on the day following the expiration of the  
36 ninety-day period after final adjournment of the general assembly (August  
37 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
38 referendum petition is filed pursuant to section 1 (3) of article V of the  
39 state constitution against this act or an item, section, or part of this act  
40 within such period, then the act, item, section, or part will not take effect  
41 unless approved by the people at the general election to be held in

- 1 November 2020 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor."

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