

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 20, 2023  
Date

Committee on Legal Services.

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

SB23-102 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, strike lines 5 through 10 and substitute:

2 "(n) Department of public health and environment;"

3 Page 3, line 12, after "agencies;" add "except that the following rules are  
4 not extended:

5 (I) The following rules of the state board of social work examiners  
6 concerning social work examiners rules and regulations (4 CCR 726-1):

7 (A) Rule 1.27 B., which states in part "The regulator shall not  
8 deny licensure or registration to an applicant or impose disciplinary action  
9 against an individual's license or registration based solely on a civil or  
10 criminal judgment ..."; and

11 (B) Rule 1.27 C., which states in part "The regulator shall not  
12 deny licensure or registration to an applicant or impose disciplinary action  
13 against an individual's license or registration based solely on a  
14 professional disciplinary action ...";

15 (II) The following rules of the state board of accountancy  
16 concerning accountancy rules and regulations (3 CCR 705-1):

17 (A) Rule 1.16 B., which states in part "The regulator shall not  
18 deny certification to an applicant or impose disciplinary action against an  
19 individual's certificate based solely on a civil or criminal judgment ...";  
20 and

21 (B) Rule 1.16 C., which states in part "The regulator shall not  
22 deny certification to an applicant or impose disciplinary action against an  
23 individual's certificate based solely on a professional disciplinary action  
24 ...";

25 (III) The following rules of the Colorado state board of  
26 chiropractic examiners concerning chiropractic examiners rules and

1 regulations (3 CCR 707-1):  
2 (A) Rule 1.39 B., which states in part "The regulator shall not  
3 deny licensure to an applicant or impose disciplinary action against an  
4 individual's license based solely on a civil or criminal judgment ..."; and  
5 (B) Rule 1.39 C., which states in part "The regulator shall not  
6 deny licensure to an applicant or impose disciplinary action against an  
7 individual's license based solely on a professional disciplinary action ...";  
8 (IV) The following rules of the state board of addiction counselor  
9 examiners concerning board of addiction counselor examiner rules (4  
10 CCR 744-1):  
11 (A) Rule 1.25 B., which states in part "The regulator shall not  
12 deny licensure, certification, or registration to an applicant or impose  
13 disciplinary action against an individual's license, certification, or  
14 registration based solely on a civil or criminal judgment ..."; and  
15 (B) Rule 1.25 C., which states in part "The regulator shall not  
16 deny licensure, certification, or registration to an applicant or impose  
17 disciplinary action against an individual's license, certification, or  
18 registration based solely on a professional disciplinary action ....";  
19 (V) The following rules of the state electrical board concerning  
20 state electrical board rules and regulations (3 CCR 710-1):  
21 (A) Rule 1.14 B., which states in part "The regulator shall not  
22 deny licensure or registration to an applicant or impose disciplinary action  
23 against an individual's license or registration based solely on a civil or  
24 criminal judgment ..."; and  
25 (B) Rule 1.14 C., which states in part "The regulator shall not  
26 deny licensure or registration to an applicant or impose disciplinary action  
27 against an individual's license or registration based solely on a  
28 professional disciplinary action ...";  
29 (VI) The following rules of the state board of pharmacy  
30 concerning state board of pharmacy rules and regulations (3 CCR 719-1):  
31 (A) Rule 33.00.00 D., which states in part "The regulator shall not  
32 deny licensure to an applicant or impose disciplinary action against an  
33 individual's license based solely on a civil or criminal judgment ..."; and  
34 (B) Rule 33.00.00 E., which states in part "The regulator shall not  
35 deny licensure to an applicant or impose disciplinary action against an  
36 individual's license based solely on a professional disciplinary action ...";  
37 (VII) The following rules of the office of direct-entry midwifery  
38 registration concerning midwives registration rules and regulations (4  
39 CCR 739-1):  
40 (A) Rule 1.27 B., which states in part "The regulator shall not  
41 deny registration to an applicant or impose disciplinary action against an  
42 individual's registration based solely on a civil or criminal judgment ...";  
43 and

1 (B) Rule 1.27 C., which states in part "The regulator shall not  
2 deny registration to an applicant or impose disciplinary action against an  
3 individual's registration based solely on a professional disciplinary action  
4 ...";

5 (VIII) The following rules of the office of naturopathic doctors  
6 registration concerning naturopathic doctors rules and regulations (4 CCR  
7 749-1):

8 (A) Rule 1.21 B., which states in part "The regulator shall not  
9 deny registration, certification, or licensure to an applicant or impose  
10 disciplinary action against an individual's registration, certificate or  
11 license based solely on a civil or criminal judgment ..."; and

12 (B) Rule 1.21 C., which states in part "The regulator shall not  
13 deny registration, certification, or licensure to an applicant or impose  
14 disciplinary action against an individual's registration, certificate or  
15 license based solely on a professional disciplinary action ...";

16 (IX) The following rules of the office of radon professionals  
17 concerning radon professionals rules and regulations (4 CCR 754-1):

18 (A) Rule 1.14 B., which states in part "The regulator shall not  
19 deny licensure to an applicant or impose disciplinary action against an  
20 individual's license based solely on a civil or criminal judgment ..."; and

21 (B) Rule 1.14 C., which states in part "The regulator shall not  
22 deny licensure to an applicant or impose disciplinary action against an  
23 individual's license based solely on a professional disciplinary action ...";

24 (X) The following rules of the office of massage therapy licensure  
25 concerning massage therapy licensure rules and regulations (3 CCR  
26 722-1):

27 (A) Rule 1.16 B., which states in part "The regulator shall not  
28 deny licensure to an applicant or impose disciplinary action against an  
29 individual's license based solely on a civil or criminal judgment ..."; and

30 (B) Rule 1.16 C., which states in part "The regulator shall not  
31 deny licensure to an applicant or impose disciplinary action against an  
32 individual's license based solely on a professional disciplinary action;

33 (XI) The following rules of the office of athletic trainer licensure  
34 concerning athletic trainer licensure rules and regulations (4 CCR 735-1):

35 (A) Rule 1.15 B., which states in part "The regulator shall not  
36 deny licensure to an applicant or impose disciplinary action against an  
37 individual's license based solely on a civil or criminal judgment ..."; and

38 (B) Rule 1.15 C., which states in part "The regulator shall not  
39 deny licensure to an applicant or impose disciplinary action against an  
40 individual's license based solely on a professional disciplinary action ...";

41 (XII) The following rules of the office of hearing aid provider  
42 licensure concerning hearing aid provider rules and regulations (3 CCR  
43 711-1):

1 (A) Rule 1.14 B., which states in part "The regulator shall not  
2 deny licensure to an applicant or impose disciplinary action against an  
3 individual's license based solely on a civil or criminal judgment ..."; and  
4 (B) Rule 1.14 C., which states in part "The regulator shall not  
5 deny licensure to an applicant or impose disciplinary action against an  
6 individual's license based solely on a professional disciplinary action ...";  
7 (XIII) The following rules of the office of audiology licensure  
8 concerning audiology rules and regulations (3 CCR 711-2):  
9 (A) Rule 1.15 B., which states in part "The regulator shall not  
10 deny licensure to an applicant or impose disciplinary action against an  
11 individual's license based solely on a civil or criminal judgment ..."; and  
12 (B) Rule 1.15 C., which states in part "The regulator shall not  
13 deny licensure to an applicant or impose disciplinary action against an  
14 individual's license based solely on a professional disciplinary action ...";  
15 (XIV) The following rules of the state board of psychologist  
16 examiners concerning psychologist examiners rules and regulations (3  
17 CCR 721-1):  
18 (A) Rule 1.24 B., which states in part "The regulator shall not  
19 deny licensure or registration to an applicant or impose disciplinary action  
20 against an individual's license or registration based solely on a civil or  
21 criminal judgment ..."; and  
22 (B) Rule 1.24. C., which states in part "The regulator shall not  
23 deny licensure or registration to an applicant or impose disciplinary action  
24 against an individual's license or registration based solely on a  
25 professional disciplinary action ...";  
26 (XV) The following rules of the office of speech-language  
27 pathology certification concerning speech-language pathologist rules and  
28 regulations (4 CCR 748-1):  
29 (A) Rule 1.27 B., which states in part "The regulator shall not  
30 deny certification to an applicant or impose disciplinary action against an  
31 individual's certificate based solely on a civil or criminal judgment ...";  
32 and  
33 (B) Rule 1.27 C., which states in part "The regulator shall not  
34 deny certification to an applicant or impose disciplinary action against an  
35 individual's certificate based solely on a professional disciplinary action  
36 ...";  
37 (XVI) The following rules of the office of surgical assistant and  
38 surgical technologist registration concerning surgical assistant and  
39 surgical technologist rules and regulations (4 CCR 745-1):  
40 (A) Rule 1.12 B., which states in part "The regulator shall not  
41 deny registration to an applicant or impose disciplinary action against an  
42 individual's registration based solely on a civil or criminal judgment ...";  
43 and

1 (B) Rule 1.12 C., which states in part "The regulator shall not  
2 deny registration to an applicant or impose disciplinary action against an  
3 individual's registration based solely on a professional disciplinary action  
4 ...";

5 (XVII) The following rules of the office of respiratory therapy  
6 licensure concerning respiratory therapy rules and regulations (4 CCR  
7 741-1):

8 (A) Rule 1.13 B., which states in part "The regulator shall not  
9 deny licensure to an applicant or impose disciplinary action against an  
10 individual's license based solely on a civil or criminal judgment ..."; and

11 (B) Rule 1.13 C., which states in part "The regulator shall not  
12 deny licensure to an applicant or impose disciplinary action against an  
13 individual's license based solely on a professional disciplinary action ...";

14 (XVIII) The following rules of the office of occupational therapy  
15 licensure concerning occupational therapy rules and regulations (3 CCR  
16 715-1):

17 (A) Rule 1.23 B., which states in part "The regulator shall not  
18 deny licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a civil or criminal judgment ..."; and

20 (B) Rule 1.23 C., which states in part "The regulator shall not  
21 deny licensure to an applicant or impose disciplinary action against an  
22 individual's license based solely on a professional disciplinary action ...";

23 (XIX) The following rules of the office of acupuncture licensure  
24 concerning acupuncture licensure rules and regulations (4 CCR 738-1):

25 (A) Rule 1.15 B., which states in part "The regulator shall not  
26 deny licensure to an applicant or impose disciplinary action against an  
27 individual's license based solely on a civil or criminal judgment ..."; and

28 (B) Rule 1.15 C., which states in part "The regulator shall not  
29 deny licensure to an applicant or impose disciplinary action against an  
30 individual's license based solely on a professional disciplinary action ...";

31 (XX) The following rules of the office of outfitters registration  
32 concerning outfitters registration rules and regulations (4 CCR 733-1):

33 (A) Rule 1.12 B., which states in part "The regulator shall not  
34 deny registration to an applicant or impose disciplinary action against an  
35 individual's registration based solely on a civil or criminal judgment ...";  
36 and

37 (B) Rule 1.12 C., which states in part "The regulator shall not  
38 deny registration to an applicant or impose disciplinary action against an  
39 individual's registration based solely on a professional disciplinary action  
40 ...";

41 (XXI) The following rules of the office of barber and cosmetology  
42 licensure concerning barber and cosmetology licensure rules and  
43 regulations (4 CCR 731-1):

1 (A) Rule 1.12 B., which states in part "The regulator shall not  
2 deny licensure to an applicant or impose disciplinary action against an  
3 individual's license based solely on a civil or criminal judgment ..."; and  
4 (B) Rule 1.12 C., which states in part "The regulator shall not  
5 deny licensure to an applicant or impose disciplinary action against an  
6 individual's license based solely on a professional disciplinary action ...";  
7 (XXII) The following rules of the office of funeral home and  
8 crematory registration concerning funeral home and crematory  
9 registration rules (4 CCR 742-1):  
10 (A) Rule 1.10 B., which states in part "The regulator shall not  
11 deny registration to an applicant or impose disciplinary action against an  
12 individual's registration based solely on a civil or criminal judgment ...";  
13 and  
14 (B) Rule 1.10 C., which states in part "The regulator shall not  
15 deny registration to an applicant or impose disciplinary action against an  
16 individual's registration based solely on a professional disciplinary action  
17 ...";  
18 (XXIII) The following rules of the Colorado office of combative  
19 sports and Colorado combative sports commission concerning combative  
20 sports rules and regulations (4 CCR 740-1):  
21 (A) Rule 1.18 B., which states in part "The regulator shall not  
22 deny licensure to an applicant or impose disciplinary action against an  
23 individual's license based solely on a civil or criminal judgment ..."; and  
24 (B) Rule 1.18 C., which states in part "The regulator shall not  
25 deny licensure to an applicant or impose disciplinary action against an  
26 individual's license based solely on a professional disciplinary action ...";  
27 (XXIV) The following rules of the state board of licensure for  
28 architects, professional engineers, and professional land surveyors  
29 concerning architects, professional engineers, and professional land  
30 surveyors rules and regulations (4 CCR 730-1):  
31 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
32 licensure to an applicant or impose disciplinary action against an  
33 individual's license based solely on a civil or criminal judgment ..."; and  
34 (B) Rule 1.9 C., which states in part "The regulator shall not deny  
35 licensure to an applicant or impose disciplinary action against an  
36 individual's license based solely on a professional disciplinary action ...";  
37 (XXV) The following rules of the state physical therapy board  
38 concerning physical therapy rules and regulations (4 CCR 732-1):  
39 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
40 licensure or certification to an applicant or impose disciplinary action  
41 against an individual's license or certification based solely on a civil or  
42 criminal judgment ..."; and  
43 (B) Rule 1.9 C., which states in part "The regulator shall not deny

1 licensure or certification to an applicant or impose disciplinary action  
2 against an individual's license or certification based solely on a  
3 professional disciplinary action ...";

4 (XXVI) The following rules of the state board of veterinary  
5 medicine concerning veterinarian and veterinary technician rules and  
6 regulations (4 CCR 727-1):

7 (A) Rule 1.22 B., which states in part "The regulator shall not  
8 deny registration or licensure to an applicant or impose disciplinary action  
9 against an individual's registration or license based solely on a civil or  
10 criminal judgment ..."; and

11 (B) Rule 1.22 C., which states in part "The regulator shall not  
12 deny registration or licensure to an applicant or impose disciplinary action  
13 against an individual's registration or license based solely on a  
14 professional disciplinary action ...";

15 (XXVII) The following rules of the state board of nursing  
16 concerning nursing rules and regulations (3 CCR 716-1):

17 (A) Rule 1.34 B., which states in part "The regulator shall not  
18 deny registration, certification, or licensure to an applicant or impose  
19 disciplinary action against an individual's registration, certificate or  
20 license based solely on a civil or criminal judgment ..."; and

21 (B) Rule 1.34 C., which states in part "The regulator shall not  
22 deny registration, certification, or licensure to an applicant or impose  
23 disciplinary action against an individual's registration, certificate or  
24 license based solely on a professional disciplinary action ...";

25 (XXVIII) The following rules of the state board of unlicensed  
26 psychotherapists concerning unlicensed psychotherapists rules and  
27 regulations (4 CCR 734-1):

28 (A) Rule 1.19 B., which states in part "The regulator shall not  
29 deny registration to an applicant or impose disciplinary action against an  
30 individual's registration based solely on a civil or criminal judgment ...";  
31 and

32 (B) Rule 1.19 C., which states in part "The regulator shall not  
33 deny registration to an applicant or impose disciplinary action against an  
34 individual's registration based solely on a professional disciplinary action  
35 ...";

36 (XXIX) The following rules of the state plumbing board  
37 concerning plumbing rules and regulations (3 CCR 720-1):

38 (A) Rule 1.10 B., which states in part "The regulator shall not  
39 deny registration or licensure to an applicant or impose disciplinary action  
40 against an individual's registration or license based solely on a civil or  
41 criminal judgment ..."; and

42 (B) Rule 1.10 C., which states in part "The regulator shall not  
43 deny registration or licensure to an applicant or impose disciplinary action

1 against an individual's registration or license based solely on a  
2 professional disciplinary action ...";

3 (XXX) The following rules of the state board of marriage and  
4 family therapist examiners concerning marriage and family therapist  
5 examiners rules and regulations (4 CCR 736-1):

6 (A) Rule 1.25 B., which states in part "The regulator shall not  
7 deny licensure or registration to an applicant or impose disciplinary action  
8 against an individual's license or registration based solely on a civil or  
9 criminal judgment ..."; and

10 (B) Rule 1.25 C., which states in part "The regulator shall not  
11 deny licensure or registration to an applicant or impose disciplinary action  
12 against an individual's license or registration based solely on a  
13 professional disciplinary action ...";

14 (XXXI) The following rules of the Colorado dental board  
15 concerning dentists, dental therapists and dental hygienists rules and  
16 regulations (3 CCR 709-1):

17 (A) Rule 1.33 B., which states in part "The regulator shall not  
18 deny licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a civil or criminal judgment ..."; and

20 (B) Rule 1.33 C., which states in part "The regulator shall not  
21 deny licensure to an applicant or impose disciplinary action against an  
22 individual's license based solely on a professional disciplinary action ...";

23 (XXXII) The following rules of the state board of licensed  
24 professional counselor examiners concerning licensed professional  
25 counselor examiners rules and regulations (4 CCR 737-1):

26 (A) Rule 1.25 B., which states in part "The regulator shall not  
27 deny licensure or registration to an applicant or impose disciplinary action  
28 against an individual's license or registration based solely on a civil or  
29 criminal judgment ..."; and

30 (B) Rule 1.25 C., which states in part "The regulator shall not  
31 deny licensure or registration to an applicant or impose disciplinary action  
32 against an individual's license or registration based solely on a  
33 professional disciplinary action ...";

34 (XXXIII) The following rules of the state board of landscape  
35 architects concerning landscape architects rules and regulations (4 CCR  
36 729-1):

37 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
38 licensure to an applicant or impose disciplinary action against an  
39 individual's license based solely on a civil or criminal judgment ..."; and

40 (B) Rule 1.9 C., which states in part "The regulator shall not deny  
41 licensure to an applicant or impose disciplinary action against an  
42 individual's license based solely on a professional disciplinary action ...";

43 (XXXIV) The following rules of the Colorado medical board



1 concerning protecting Colorado's workforce and expanding licensing  
2 opportunities (3 CCR 713-52):  
3 (A) Rule 52.2 B., which states in part "The regulator shall not  
4 deny licensure to an applicant or impose disciplinary action against an  
5 individual's license based solely on a civil or criminal judgment against  
6 ..."; and  
7 (B) Rule 52.2 C., which states in part "The regulator shall not  
8 deny licensure to an applicant or impose disciplinary action against an  
9 individual's license based solely on a professional disciplinary action ...";  
10 (XXXV) The following rules of the state board of optometry  
11 concerning state board of optometry rules and regulations (4 CCR 728-1):  
12 (A) Rule 1.30 B., which states in part "The regulator shall not  
13 deny registration, certification, or licensure to an applicant or impose  
14 disciplinary action against an individual's registration, certificate or  
15 license based solely on a civil or criminal judgment ..."; and  
16 (B) Rule 1.30 C., which states in part "The regulator shall not  
17 deny registration, certification, or licensure to an applicant or impose  
18 disciplinary action against an individual's registration, certificate or  
19 license based solely on a professional disciplinary action ..."; and  
20 (XXXVI) The following rules of the Colorado podiatry board  
21 concerning podiatry rules and regulations (3 CCR 712-1):  
22 (A) Rule 121 B., which states in part "The regulator shall not deny  
23 licensure to an applicant or impose disciplinary action against an  
24 individual's license based solely on a civil or criminal judgment ..."; and  
25 (B) Rule 1.21 C., which states in part "The regulator shall not  
26 deny licensure to an applicant or impose disciplinary action against an  
27 individual's license based solely on a professional disciplinary action ...".

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