



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0649	Date:	February 3, 2023
Prime Sponsors:	Sen. Gardner; Rodriguez Rep. Weissman; Soper	Bill Status:	Senate Legal Services
		Fiscal Analyst:	Clayton Mayfield 303-866-5851 clayton.mayfield@coleg.gov

Bill Topic: **RULE REVIEW BILL**

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> Statutory Public Entity

The bill postpones the expiration of all state department rules adopted or amended between November 1, 2021 and November 1, 2022 except one rule by the Department of Law and one rule by the Department of Public Health and Environment. For FY 2023-24 state and statutory public entity workload is minimally increased.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill, which is recommended by the Committee on Legal Services.

Summary of Legislation

The bill postpones the scheduled expiration on May 23, 2023, of all agency rules adopted or amended between November 1, 2021 and November 1, 2022, except the following state department rules:

- **Department of Law.** Rule 5.A of 4 CCR 902-3, which states that “Private education lenders are not required to provide the information required in section 5-20-203(2)(b)(I), (III), C.R.S., or the default rate for each school in section 5-20-203(2)(b)(IV), C.R.S. for refinanced private education loans.”
- **Department of Public Health and Environment.** Regulation Number 19 Part A II.B.13.a(iii) of 5 CCR 1001-23, which defines child-occupied facilities as a building or portion of a building that “is visited by the same child on two or more days within any week, with each such visit totaling three or more hours.”

The bill also postpones the expiration of all Public Employees’ Retirement Association (PERA) and State Board of Equalization rules and regulations that were adopted or amended during this period.

State Expenditures and Statutory Public Entity Impact

In FY 2023-24, workload in the Department of Law and the Department of Public Health and Environment will increase to promulgate new rules to replace those that are allowed to expire by this bill.

The extension of rules for all other state agencies, PERA and the State Board of Equalization will result in a workload decrease, as these entities will not need to re-promulgate or adopt emergency rules.

Any workload impacts resulting from the bill can be absorbed within existing appropriations.`

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Judicial
Local Affairs
Public Employees Retirement Association

Law
Legislative Legal Services
Public Health and Environment