

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 17-1006

BY REPRESENTATIVE(S) Foote, Exum, Kraft-Tharp, Lawrence, Lee, Valdez, Weissman, Young;
also SENATOR(S) Kagan,.

CONCERNING THE AUTHORIZATION OF A PROCESS TO CORRECT STATUTORY CITATIONS CONTAINED IN EXECUTIVE BRANCH AGENCY RULES PUBLISHED IN THE CODE OF COLORADO REGULATIONS WITHOUT THE REQUIREMENT TO FOLLOW RULE-MAKING PROCEDURES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-4-102, **amend** (16) as follows:

24-4-102. Definitions. As used in this article, unless the context otherwise requires:

(16) "Rule-making" means agency process for the formulation, amendment, or repeal of a rule. "RULE-MAKING" DOES NOT INCLUDE A STATUTORY CITATION CORRECTION AUTHORIZED BY SECTION 24-4-103 (11)(I).

SECTION 2. In Colorado Revised Statutes, 24-4-103, **add** (11)(I)

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

as follows:

24-4-103. Rule-making - procedure - definitions - statutory citation correction - repeal. (11) (l) (I) AN AGENCY MAY REQUEST THE SECRETARY OF STATE TO CORRECT A STATUTORY CITATION CONTAINED IN A RULE, INCLUDING A FORM INCORPORATED INTO A RULE, AS PUBLISHED IN THE CODE OF COLORADO REGULATIONS IF:

(A) THE GENERAL ASSEMBLY HAS RELOCATED THE STATUTE IN A MANNER THAT RENDERS THE RULE'S CITATION TO THE STATUTE INACCURATE; AND

(B) THE AGENCY SUBMITS TO THE SECRETARY A WRITTEN DETERMINATION BY THE ATTORNEY GENERAL THAT FINDS THAT THE CONDITION SPECIFIED IN SUBSECTION (11)(l)(I)(A) OF THIS SECTION APPLIES, SPECIFIES WHAT THE CORRECT CITATION IS, AND IDENTIFIES EACH CITATION THAT SHOULD BE CORRECTED.

(II) UPON RECEIPT OF A REQUEST THAT COMPLIES WITH SUBSECTION (11)(l)(I) OF THIS SECTION, THE SECRETARY OF STATE SHALL CORRECT IN THE CODE OF COLORADO REGULATIONS EACH STATUTORY CITATION LISTED IN THE DETERMINATION SPECIFIED IN SUBSECTION (11)(l)(I)(B) OF THIS SECTION.

(III) A STATUTORY CITATION CORRECTION AUTHORIZED BY THIS SUBSECTION (11)(l) IS NOT RULE-MAKING AND NEED NOT COMPLY WITH ANY REQUIREMENTS OF THIS SECTION OTHER THAN THOSE SPECIFIED IN THIS SUBSECTION (11)(l).

SECTION 3. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO