

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 19-1098.01 Jacob Baus x2173

**SENATE BILL 19-245**

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**SENATE SPONSORSHIP**

**Gonzales,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING GRANTING THE DEPARTMENT OF HUMAN SERVICES**  
102              **RULE-MAKING AUTHORITY TO AMEND THE LENGTH OF TIME**  
103              **PERMITTED TO SATISFY ADMINISTRATIVE APPEAL**  
104              **REQUIREMENTS FOR THE FOOD STAMP PROGRAM IN ORDER TO**  
105              **COMPLY WITH FEDERAL LAW.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill grants the department of human services rule-making authority to amend the length of time permitted to satisfy hearings and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

SENATE  
2nd Reading Unamended  
April 23, 2019

determinations requirements pursuant to an appeal related to food stamps in order to comply with federal law.

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

2           **SECTION 1.** In Colorado Revised Statutes, **amend** 26-2-304 as  
3 follows:

4           **26-2-304. Appeals - recoveries - rules.** (1) The provisions of  
5 section 26-2-127, relating to appeals, and section 26-2-128, relating to  
6 recoveries, ~~shall~~ apply to the food stamp program, except when such  
7 sections conflict with federal statute or regulation or when a specific  
8 conflict with federal statute or regulation is not clearly present and the  
9 state department elects by regulation to follow federal statute or  
10 regulation.

11           (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION AND  
12 SECTION 26-2-127 (1)(a)(II), THE STATE DEPARTMENT MAY PROMULGATE  
13 RULES THAT AMEND THE LENGTH OF TIME PERMITTED TO SATISFY ANY  
14 REQUIREMENT IN SECTION 24-4-105 RELATED TO AN APPEAL PURSUANT TO  
15 THIS PART 3 TO ENSURE COMPLIANCE WITH THE FEDERAL LAW.

16           **SECTION 2. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.