



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 21-0611	Date:	June 15, 2021
Prime Sponsors:	Sen. Lee; Gardner Rep. Herod; Soper	Bill Status:	Signed into Law
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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

This bill extends all state department rules adopted or amended between November 1, 2019, and November 1, 2020, through May 15, 2021, with certain exceptions. The bill will minimally increase state and statutory public entity workload in FY 2021-22.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the enacted bill.

Summary of Legislation

This bill provides for the continuation of certain state department's rules and regulations and the expiration of others that were adopted or amended on or after November 1, 2019, and before November 1, 2020. Rules are scheduled to expire in the annual rule review bill when the Committee on Legal Services finds that the rule lacks statutory authority or conflicts with state law. Under the bill, discontinued rules expire on May 15, 2021, which are summarized in Table 1. 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 same period.

**Table 1
Rules Expiring Under SB 21-152**

Department	Topic Area of Expiring Rules	No. of Rules Expiring
Education	Public School Transportation Fund	1
Public Health and Environment	Air Pollutant Emission Notice Requirements	1
Regulatory Agencies	Social Work Examiners	3
	Licensed Professional Counselors	3
	Chiropractic Examiners	1
	Psychologist Examiners	3
	Addiction Counselor Examiners	2
	Physical Therapy	1
	Unlicensed Psychotherapists	1
	Acupuncture Licensure	1
	Direct-Entry Midwives Registration	1
	Marriage and Family Therapists	3
	Barber and Cosmetology Licensure	3
	Respiratory Therapy Licensure	1
	Athletic Trainer Licensure	1
	Naturopathic Doctors	1
	Hearing Aid Providers	2
	Audiology Licensure	2
	Speech-Language Pathologists	1
	Surgical Assistant and Technologists	1
	Massage Therapy Licensure	2
	Nursing Rules and Regulations	1

State Expenditures

In FY 2021-22, state department workload will increase to align policies and procedures with state law. For departments with expiring rules, workload will increase to adopt emergency rules, re-promulgate rules, or update materials and procedures to align with the change in rules. Departments that had their rules extended will have a workload decrease if that department does not need to re-promulgate or adopt emergency rules. Any workload impacts resulting from the bill can be accomplished within existing appropriations.

The State Board of Equalization in the Department of Local Affairs will have an increase in workload to update materials and procedures to reflect state law, and a decrease in workload from not having to adopt emergency rules or re-promulgate rules that are extended.

Statutory Public Entity

PERA will have an increase in workload to update materials and procedures to reflect state law, and a decrease in workload from not having to adopt emergency rules or re-promulgate rules that are extended.

Effective Date

This bill was signed into law by the Governor and took effect on May 10, 2021.

State and Local Government Contacts

Education

Public Health and Environment

Legislative Legal Services

Regulatory Agencies

Local Affairs