

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 22-0323.01 Sarah Lozano x3858

HOUSE BILL 22-1262

HOUSE SPONSORSHIP

Sullivan and Snyder, Bird, Duran, Esgar, Froelich, Gray, Herod, Lindsay

SENATE SPONSORSHIP

Rodriguez and Cooke,

House Committees  
Business Affairs & Labor

Senate Committees  
Business, Labor, & Technology

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE AUTHORITY OF THE  
102 DIRECTOR OF THE DIVISION OF WORKERS' COMPENSATION TO  
103 IMPOSE FINES ON AN EMPLOYER FOR A SUBSEQUENT FAILURE TO  
104 CARRY WORKERS' COMPENSATION INSURANCE WITHIN A  
105 SPECIFIED PERIOD AFTER A PREVIOUS FAILURE, AND, IN  
106 CONNECTION THEREWITH, IMPLEMENTING THE  
107 RECOMMENDATION IN THE 2021 SUNSET REPORT BY THE  
108 DEPARTMENT OF REGULATORY AGENCIES.

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*

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  
March 30, 2022

HOUSE  
3rd Reading Unamended  
March 22, 2022

HOUSE  
2nd Reading Unamended  
March 21, 2022

[http://leg.colorado.gov/.](http://leg.colorado.gov/))

**Sunset Process - House Business Affairs and Labor Committee.** The bill implements the recommendation of the department of regulatory agencies, as specified in the department's sunset review of the authority of the director of the division of workers' compensation to impose fines on an employer for a subsequent failure to carry workers' compensation insurance within 7 years after an initial failure to carry the required insurance, by continuing the director's authority for 11 years, until September 1, 2033.

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

2           **SECTION 1.** In Colorado Revised Statutes, 8-43-409, **amend**  
3 (1.5)(d) as follows:

4           **8-43-409. Defaulting employers - penalties - enjoined from**  
5 **continuing business - fines - procedure - definition - repeal.**

6 (1.5) (d) This subsection (1.5) is repealed, effective ~~July 1, 2022~~  
7 SEPTEMBER 1, 2033. Before its repeal, this subsection (1.5) is scheduled  
8 for review in accordance with section 24-34-104.

9           **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **repeal**  
10 (22)(a)(II); and **add** (34)(a)(II) as follows:

11           **24-34-104. General assembly review of regulatory agencies**  
12 **and functions for repeal, continuation, or reestablishment - legislative**  
13 **declaration - repeal.** (22) (a) The following agencies, functions, or both,  
14 are scheduled for repeal on July 1, 2022:

15           (II) ~~The limitations on imposition of fines for failure to carry~~  
16 ~~workers' compensation insurance pursuant to section 8-43-409 (1.5).~~

17           (34) (a) The following agencies, functions, or both, are scheduled  
18 for repeal on September 1, 2033:

19           (II) THE AUTHORITY OF THE DIRECTOR OF THE DIVISION OF  
20 WORKERS' COMPENSATION TO IMPOSE FINES ON EMPLOYERS PURSUANT TO

1 SECTION 8-43-409 (1.5) FOR FAILURE TO CARRY WORKERS' COMPENSATION  
2 INSURANCE.

3           **SECTION 3. Safety clause.** The general assembly hereby finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety.