

# An Act

HOUSE BILL 26-1343

BY REPRESENTATIVE(S) Mauro and Clifford, Bacon, Bradley, Hamrick, Nguyen, Rutinel, Duran, Keltie, Lindsay, Marshall, Phillips, Weinberg, McCluskie;  
also SENATOR(S) Marchman, Coleman.

CONCERNING EXPANDING THE USE OF ELECTRONIC PROCESSES IN PROCEEDINGS INVOLVING THE "STATE ADMINISTRATIVE PROCEDURE ACT".

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

**SECTION 1.** In Colorado Revised Statutes, 24-4-105, **amend** (2)(a), (2)(b), and (16)(a) as follows:

**24-4-105. Hearings and determinations.**

(2) (a) In any ~~such~~ proceeding in which an opportunity for agency adjudicatory hearing is required under the state constitution or by this or any other statute, the parties are entitled to a hearing and decision in conformity with this section. Any person entitled to notice of a hearing shall be given timely notice of the time, place, and nature thereof, the legal authority and jurisdiction under which it is to be held, and the matters of fact and law

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

asserted. Unless otherwise provided by law, ~~such~~ THE notice shall be served personally; BY ELECTRONIC MEANS, UPON THE DOCUMENTED REQUEST OR CONSENT OF THE PERSON TO BE NOTIFIED; or by mailing by first-class mail to the last address furnished TO the agency by the person to be notified at least thirty days prior to the hearing. In fixing the time and place for a hearing, due regard shall be had for the convenience and necessity of the parties and their representatives.

(b) Any person given ~~such~~ notice PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION shall file a written answer thirty days after the service, ELECTRONIC DELIVERY, or mailing of ~~such~~ THE notice. If ~~such~~ THE person fails to answer, any agency, administrative law judge, or hearing officer, upon motion, may enter a default. For good cause shown, the entry of default may be set aside within ten days after the date of ~~such~~ entry.

(16) (a) Each decision and initial decision shall be served on each party by personal service; BY ELECTRONIC MEANS, UPON THE DOCUMENTED REQUEST OR CONSENT OF THE PARTY TO BE SERVED; or by mailing by first-class mail to the last address furnished TO the agency by ~~such~~ THE party and, except as provided in ~~paragraph (b) of this subsection (16)~~ SUBSECTION (16)(b) OF THIS SECTION, shall be effective as to ~~such~~ THE party on the date mailed, PROVIDED ELECTRONICALLY, or ~~such~~ THE later date as is stated in the decision.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES



James Rashad Coleman, Sr.  
PRESIDENT OF  
THE SENATE



Vanessa Reilly  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES



Esther van Mourik  
SECRETARY OF  
THE SENATE

APPROVED on Thursday June 4<sup>th</sup> 2024 at 12:30pm  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO