

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

**REVISED**

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

LLS NO. 23-0649.01 Brita Darling x2241

**SENATE BILL 23-102**

---

**SENATE SPONSORSHIP**

**Gardner and Rodriguez**, Buckner, Exum, Gonzales, Priola, Rich, Roberts, Smallwood

**HOUSE SPONSORSHIP**

**Weissman and Soper**, Snyder

---

**Senate Committees**

Legal Services

**House Committees**

Legal Services

---

**A BILL FOR AN ACT**

101      **CONCERNING IMPLEMENTATION OF THE COMMITTEE ON LEGAL**  
102              **SERVICES' RECOMMENDATIONS IN CONNECTION WITH**  
103              **LEGISLATIVE REVIEW OF STATE AGENCIES' RULES.**

---

**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/>.)*

**Committee on Legal Services.** Based on the findings and recommendations of the committee on legal services, the bill extends all state agency rules that were adopted or amended on or after November 1, 2021, and before November 1, 2022, with the exception of certain rules of the following agencies, as specifically listed in the bill:

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

HOUSE  
Amended 2nd Reading  
April 25, 2023

SENATE  
3rd Reading Unamended  
March 2, 2023

SENATE  
2nd Reading Unamended  
March 1, 2023

- The rule of the administrator of the uniform consumer credit code and commission on consumer credit concerning the "Colorado Student Loan Equity Act"; and
- The air quality control commission's rule concerning the control of lead hazards.

Those specified rules will expire as scheduled in the "State Administrative Procedure Act" on May 15, 2023, on the grounds that the rules conflict with statute.

---

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

2           **SECTION 1. Extension of rules scheduled for expiration May**  
3 **15, 2023 - exceptions.** (1) Except as indicated, the expiration of all rules  
4 of agencies in the following principal departments, which rules were  
5 adopted or amended on or after November 1, 2021, and before November  
6 1, 2022, and that are therefore scheduled for expiration May 15, 2023, is  
7 postponed:

- 8           (a) Department of agriculture;
- 9           (b) Department of corrections;
- 10          (c) Department of early childhood;
- 11          (d) Department of education;
- 12          (e) Department of health care policy and financing;
- 13          (f) Department of higher education;
- 14          (g) Department of human services;
- 15          (h) Department of labor and employment;
- 16          (i) Department of law; except that the following rule of the  
17 administrator for the uniform consumer credit code and commission on  
18 consumer credit concerning the Colorado Student Loan Equity Act (4  
19 CCR 902-3) is not extended: Rule 5.A., which states in part "Private  
20 education lenders are not required to provide the information required in  
21 section 5-20-203 (2)(b)(I), ...";

- 1 (j) Department of local affairs;
- 2 (k) Department of military and veterans affairs;
- 3 (l) Department of natural resources;
- 4 (m) Department of personnel;
- 5 (n) Department of public health and environment;
- 6 (o) Department of public safety;
- 7 (p) Department of regulatory agencies; except that the following
- 8 rules are not extended:

9 (I) The following rules of the state board of social work examiners  
10 concerning social work examiners rules and regulations (4 CCR 726-1):

11 (A) Rule 1.27 B., which states in part "The regulator shall not  
12 deny licensure or registration to an applicant or impose disciplinary action  
13 against an individual's license or registration based solely on a civil or  
14 criminal judgment ..."; and

15 (B) Rule 1.27 C., which states in part "The regulator shall not  
16 deny licensure or registration to an applicant or impose disciplinary action  
17 against an individual's license or registration based solely on a  
18 professional disciplinary action ...";

19 (II) The following rules of the state board of accountancy  
20 concerning accountancy rules and regulations (3 CCR 705-1):

21 (A) Rule 1.16 B., which states in part "The regulator shall not  
22 deny certification to an applicant or impose disciplinary action against an  
23 individual's certificate based solely on a civil or criminal judgment ...";  
24 and

25 (B) Rule 1.16 C., which states in part "The regulator shall not  
26 deny certification to an applicant or impose disciplinary action against an  
27 individual's certificate based solely on a professional disciplinary action

1 ...";

2 (III) The following rules of the Colorado state board of  
3 chiropractic examiners concerning chiropractic examiners rules and  
4 regulations (3 CCR 707-1):

5 (A) Rule 1.39 B., which states in part "The regulator shall not  
6 deny licensure to an applicant or impose disciplinary action against an  
7 individual's license based solely on a civil or criminal judgment ..."; and

8 (B) Rule 1.39 C., which states in part "The regulator shall not  
9 deny licensure to an applicant or impose disciplinary action against an  
10 individual's license based solely on a professional disciplinary action ...";

11 (IV) The following rules of the state board of addiction counselor  
12 examiners concerning board of addiction counselor examiner rules (4  
13 CCR 744-1):

14 (A) Rule 1.25 B., which states in part "The regulator shall not  
15 deny licensure, certification, or registration to an applicant or impose  
16 disciplinary action against an individual's license, certification, or  
17 registration based solely on a civil or criminal judgment ..."; and

18 (B) Rule 1.25 C., which states in part "The regulator shall not  
19 deny licensure, certification, or registration to an applicant or impose  
20 disciplinary action against an individual's license, certification, or  
21 registration based solely on a professional disciplinary action ....";

22 (V) The following rules of the state electrical board concerning  
23 state electrical board rules and regulations (3 CCR 710-1):

24 (A) Rule 1.14 B., which states in part "The regulator shall not  
25 deny licensure or registration to an applicant or impose disciplinary action  
26 against an individual's license or registration based solely on a civil or  
27 criminal judgment ..."; and

1 (B) Rule 1.14 C., which states in part "The regulator shall not  
2 deny licensure or registration to an applicant or impose disciplinary action  
3 against an individual's license or registration based solely on a  
4 professional disciplinary action ...";

5 (VI) The following rules of the state board of pharmacy  
6 concerning state board of pharmacy rules and regulations (3 CCR 719-1):

7 (A) Rule 33.00.00 D., which states in part "The regulator shall not  
8 deny licensure to an applicant or impose disciplinary action against an  
9 individual's license based solely on a civil or criminal judgment ..."; and

10 (B) Rule 33.00.00 E., which states in part "The regulator shall not  
11 deny licensure to an applicant or impose disciplinary action against an  
12 individual's license based solely on a professional disciplinary action ...";

13 (VII) The following rules of the office of direct-entry midwifery  
14 registration concerning midwives registration rules and regulations (4  
15 CCR 739-1):

16 (A) Rule 1.27 B., which states in part "The regulator shall not  
17 deny registration to an applicant or impose disciplinary action against an  
18 individual's registration based solely on a civil or criminal judgment ...";  
19 and

20 (B) Rule 1.27 C., which states in part "The regulator shall not  
21 deny registration to an applicant or impose disciplinary action against an  
22 individual's registration based solely on a professional disciplinary action  
23 ...";

24 (VIII) The following rules of the office of naturopathic doctors  
25 registration concerning naturopathic doctors rules and regulations (4 CCR  
26 749-1):

27 (A) Rule 1.21 B., which states in part "The regulator shall not

1 deny registration, certification, or licensure to an applicant or impose  
2 disciplinary action against an individual's registration, certificate or  
3 license based solely on a civil or criminal judgment ..."; and

4 (B) Rule 1.21 C., which states in part "The regulator shall not  
5 deny registration, certification, or licensure to an applicant or impose  
6 disciplinary action against an individual's registration, certificate or  
7 license based solely on a professional disciplinary action ...";

8 (IX) The following rules of the office of radon professionals  
9 concerning radon professionals rules and regulations (4 CCR 754-1):

10 (A) Rule 1.14 B., which states in part "The regulator shall not  
11 deny licensure to an applicant or impose disciplinary action against an  
12 individual's license based solely on a civil or criminal judgment ..."; and

13 (B) Rule 1.14 C., which states in part "The regulator shall not  
14 deny licensure to an applicant or impose disciplinary action against an  
15 individual's license based solely on a professional disciplinary action ...";

16 (X) The following rules of the office of massage therapy licensure  
17 concerning massage therapy licensure rules and regulations (3 CCR  
18 722-1):

19 (A) Rule 1.16 B., which states in part "The regulator shall not  
20 deny licensure to an applicant or impose disciplinary action against an  
21 individual's license based solely on a civil or criminal judgment ..."; and

22 (B) Rule 1.16 C., which states in part "The regulator shall not  
23 deny licensure to an applicant or impose disciplinary action against an  
24 individual's license based solely on a professional disciplinary action;

25 (XI) The following rules of the office of athletic trainer licensure  
26 concerning athletic trainer licensure rules and regulations (4 CCR 735-1):

27 (A) Rule 1.15 B., which states in part "The regulator shall not

1 deny licensure to an applicant or impose disciplinary action against an  
2 individual's license based solely on a civil or criminal judgment ..."; and

3 (B) Rule 1.15 C., which states in part "The regulator shall not  
4 deny licensure to an applicant or impose disciplinary action against an  
5 individual's license based solely on a professional disciplinary action ...";

6 (XII) The following rules of the office of hearing aid provider  
7 licensure concerning hearing aid provider rules and regulations (3 CCR  
8 711-1):

9 (A) Rule 1.14 B., which states in part "The regulator shall not  
10 deny licensure to an applicant or impose disciplinary action against an  
11 individual's license based solely on a civil or criminal judgment ..."; and

12 (B) Rule 1.14 C., which states in part "The regulator shall not  
13 deny licensure to an applicant or impose disciplinary action against an  
14 individual's license based solely on a professional disciplinary action ...";

15 (XIII) The following rules of the office of audiology licensure  
16 concerning audiology rules and regulations (3 CCR 711-2):

17 (A) Rule 1.15 B., which states in part "The regulator shall not  
18 deny licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a civil or criminal judgment ..."; and

20 (B) Rule 1.15 C., which states in part "The regulator shall not  
21 deny licensure to an applicant or impose disciplinary action against an  
22 individual's license based solely on a professional disciplinary action ...";

23 (XIV) The following rules of the state board of psychologist  
24 examiners concerning psychologist examiners rules and regulations (3  
25 CCR 721-1):

26 (A) Rule 1.24 B., which states in part "The regulator shall not  
27 deny licensure or registration to an applicant or impose disciplinary action

1 against an individual's license or registration based solely on a civil or  
2 criminal judgment ..."; and

3 (B) Rule 1.24. C., which states in part "The regulator shall not  
4 deny licensure or registration to an applicant or impose disciplinary action  
5 against an individual's license or registration based solely on a  
6 professional disciplinary action ...";

7 (XV) The following rules of the office of speech-language  
8 pathology certification concerning speech-language pathologist rules and  
9 regulations (4 CCR 748-1):

10 (A) Rule 1.27 B., which states in part "The regulator shall not  
11 deny certification to an applicant or impose disciplinary action against an  
12 individual's certificate based solely on a civil or criminal judgment ...";  
13 and

14 (B) Rule 1.27 C., which states in part "The regulator shall not  
15 deny certification to an applicant or impose disciplinary action against an  
16 individual's certificate based solely on a professional disciplinary action  
17 ...";

18 (XVI) The following rules of the office of surgical assistant and  
19 surgical technologist registration concerning surgical assistant and  
20 surgical technologist rules and regulations (4 CCR 745-1):

21 (A) Rule 1.12 B., which states in part "The regulator shall not  
22 deny registration to an applicant or impose disciplinary action against an  
23 individual's registration based solely on a civil or criminal judgment ...";  
24 and

25 (B) Rule 1.12 C., which states in part "The regulator shall not  
26 deny registration to an applicant or impose disciplinary action against an  
27 individual's registration based solely on a professional disciplinary action



1 ...";

2 (XVII) The following rules of the office of respiratory therapy  
3 licensure concerning respiratory therapy rules and regulations (4 CCR  
4 741-1):

5 (A) Rule 1.13 B., which states in part "The regulator shall not  
6 deny licensure to an applicant or impose disciplinary action against an  
7 individual's license based solely on a civil or criminal judgment ..."; and

8 (B) Rule 1.13 C., which states in part "The regulator shall not  
9 deny licensure to an applicant or impose disciplinary action against an  
10 individual's license based solely on a professional disciplinary action ...";

11 (XVIII) The following rules of the office of occupational therapy  
12 licensure concerning occupational therapy rules and regulations (3 CCR  
13 715-1):

14 (A) Rule 1.23 B., which states in part "The regulator shall not  
15 deny licensure to an applicant or impose disciplinary action against an  
16 individual's license based solely on a civil or criminal judgment ..."; and

17 (B) Rule 1.23 C., which states in part "The regulator shall not  
18 deny licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a professional disciplinary action ...";

20 (XIX) The following rules of the office of acupuncture licensure  
21 concerning acupuncture licensure rules and regulations (4 CCR 738-1):

22 (A) Rule 1.15 B., which states in part "The regulator shall not  
23 deny licensure to an applicant or impose disciplinary action against an  
24 individual's license based solely on a civil or criminal judgment ..."; and

25 (B) Rule 1.15 C., which states in part "The regulator shall not  
26 deny licensure to an applicant or impose disciplinary action against an  
27 individual's license based solely on a professional disciplinary action ...";

1 (XX) The following rules of the office of outfitters registration  
2 concerning outfitters registration rules and regulations (4 CCR 733-1):

3 (A) Rule 1.12 B., which states in part "The regulator shall not  
4 deny registration to an applicant or impose disciplinary action against an  
5 individual's registration based solely on a civil or criminal judgment ...";  
6 and

7 (B) Rule 1.12 C., which states in part "The regulator shall not  
8 deny registration to an applicant or impose disciplinary action against an  
9 individual's registration based solely on a professional disciplinary action  
10 ...";

11 (XXI) The following rules of the office of barber and cosmetology  
12 licensure concerning barber and cosmetology licensure rules and  
13 regulations (4 CCR 731-1):

14 (A) Rule 1.12 B., which states in part "The regulator shall not  
15 deny licensure to an applicant or impose disciplinary action against an  
16 individual's license based solely on a civil or criminal judgment ..."; and

17 (B) Rule 1.12 C., which states in part "The regulator shall not  
18 deny licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a professional disciplinary action ...";

20 (XXII) The following rules of the office of funeral home and  
21 crematory registration concerning funeral home and crematory  
22 registration rules (4 CCR 742-1):

23 (A) Rule 1.10 B., which states in part "The regulator shall not  
24 deny registration to an applicant or impose disciplinary action against an  
25 individual's registration based solely on a civil or criminal judgment ...";  
26 and

27 (B) Rule 1.10 C., which states in part "The regulator shall not

1 deny registration to an applicant or impose disciplinary action against an  
2 individual's registration based solely on a professional disciplinary action  
3 ...";

4 (XXIII) The following rules of the Colorado office of combative  
5 sports and Colorado combative sports commission concerning combative  
6 sports rules and regulations (4 CCR 740-1):

7 (A) Rule 1.18 B., which states in part "The regulator shall not  
8 deny licensure to an applicant or impose disciplinary action against an  
9 individual's license based solely on a civil or criminal judgment ..."; and

10 (B) Rule 1.18 C., which states in part "The regulator shall not  
11 deny licensure to an applicant or impose disciplinary action against an  
12 individual's license based solely on a professional disciplinary action ...";

13 (XXIV) The following rules of the state board of licensure for  
14 architects, professional engineers, and professional land surveyors  
15 concerning architects, professional engineers, and professional land  
16 surveyors rules and regulations (4 CCR 730-1):

17 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
18 licensure to an applicant or impose disciplinary action against an  
19 individual's license based solely on a civil or criminal judgment ..."; and

20 (B) Rule 1.9 C., which states in part "The regulator shall not deny  
21 licensure to an applicant or impose disciplinary action against an  
22 individual's license based solely on a professional disciplinary action ...";

23 (XXV) The following rules of the state physical therapy board  
24 concerning physical therapy rules and regulations (4 CCR 732-1):

25 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
26 licensure or certification to an applicant or impose disciplinary action  
27 against an individual's license or certification based solely on a civil or

1 criminal judgment ..."; and

2 (B) Rule 1.9 C., which states in part "The regulator shall not deny  
3 licensure or certification to an applicant or impose disciplinary action  
4 against an individual's license or certification based solely on a  
5 professional disciplinary action ...";

6 (XXVI) The following rules of the state board of veterinary  
7 medicine concerning veterinarian and veterinary technician rules and  
8 regulations (4 CCR 727-1):

9 (A) Rule 1.22 B., which states in part "The regulator shall not  
10 deny registration or licensure to an applicant or impose disciplinary action  
11 against an individual's registration or license based solely on a civil or  
12 criminal judgment ..."; and

13 (B) Rule 1.22 C., which states in part "The regulator shall not  
14 deny registration or licensure to an applicant or impose disciplinary action  
15 against an individual's registration or license based solely on a  
16 professional disciplinary action ...";

17 (XXVII) The following rules of the state board of nursing  
18 concerning nursing rules and regulations (3 CCR 716-1):

19 (A) Rule 1.34 B., which states in part "The regulator shall not  
20 deny registration, certification, or licensure to an applicant or impose  
21 disciplinary action against an individual's registration, certificate or  
22 license based solely on a civil or criminal judgment ..."; and

23 (B) Rule 1.34 C., which states in part "The regulator shall not  
24 deny registration, certification, or licensure to an applicant or impose  
25 disciplinary action against an individual's registration, certificate or  
26 license based solely on a professional disciplinary action ...";

27 (XXVIII) The following rules of the state board of unlicensed

1 psychotherapists concerning unlicensed psychotherapists rules and  
2 regulations (4 CCR 734-1):

3 (A) Rule 1.19 B., which states in part "The regulator shall not  
4 deny registration to an applicant or impose disciplinary action against an  
5 individual's registration based solely on a civil or criminal judgment ...";  
6 and

7 (B) Rule 1.19 C., which states in part "The regulator shall not  
8 deny registration to an applicant or impose disciplinary action against an  
9 individual's registration based solely on a professional disciplinary action  
10 ...";

11 (XXIX) The following rules of the state plumbing board  
12 concerning plumbing rules and regulations (3 CCR 720-1):

13 (A) Rule 1.10 B., which states in part "The regulator shall not  
14 deny registration or licensure to an applicant or impose disciplinary action  
15 against an individual's registration or license based solely on a civil or  
16 criminal judgment ..."; and

17 (B) Rule 1.10 C., which states in part "The regulator shall not  
18 deny registration or licensure to an applicant or impose disciplinary action  
19 against an individual's registration or license based solely on a  
20 professional disciplinary action ...";

21 (XXX) The following rules of the state board of marriage and  
22 family therapist examiners concerning marriage and family therapist  
23 examiners rules and regulations (4 CCR 736-1):

24 (A) Rule 1.25 B., which states in part "The regulator shall not  
25 deny licensure or registration to an applicant or impose disciplinary action  
26 against an individual's license or registration based solely on a civil or  
27 criminal judgment ..."; and

1 (B) Rule 1.25 C., which states in part "The regulator shall not  
2 deny licensure or registration to an applicant or impose disciplinary action  
3 against an individual's license or registration based solely on a  
4 professional disciplinary action ...";

5 (XXXI) The following rules of the Colorado dental board  
6 concerning dentists, dental therapists and dental hygienists rules and  
7 regulations (3 CCR 709-1):

8 (A) Rule 1.33 B., which states in part "The regulator shall not  
9 deny licensure to an applicant or impose disciplinary action against an  
10 individual's license based solely on a civil or criminal judgment ..."; and

11 (B) Rule 1.33 C., which states in part "The regulator shall not  
12 deny licensure to an applicant or impose disciplinary action against an  
13 individual's license based solely on a professional disciplinary action ...";

14 (XXXII) The following rules of the state board of licensed  
15 professional counselor examiners concerning licensed professional  
16 counselor examiners rules and regulations (4 CCR 737-1):

17 (A) Rule 1.25 B., which states in part "The regulator shall not  
18 deny licensure or registration to an applicant or impose disciplinary action  
19 against an individual's license or registration based solely on a civil or  
20 criminal judgment ..."; and

21 (B) Rule 1.25 C., which states in part "The regulator shall not  
22 deny licensure or registration to an applicant or impose disciplinary action  
23 against an individual's license or registration based solely on a  
24 professional disciplinary action ...";

25 (XXXIII) The following rules of the state board of landscape  
26 architects concerning landscape architects rules and regulations (4 CCR  
27 729-1):

1 (A) Rule 1.9 B., which states in part "The regulator shall not deny  
2 licensure to an applicant or impose disciplinary action against an  
3 individual's license based solely on a civil or criminal judgment ..."; and

4 (B) Rule 1.9 C., which states in part "The regulator shall not deny  
5 licensure to an applicant or impose disciplinary action against an  
6 individual's license based solely on a professional disciplinary action ...";

7 (XXXIV) The following rules of the Colorado medical board  
8 concerning protecting Colorado's workforce and expanding licensing  
9 opportunities (3 CCR 713-52):

10 (A) Rule 52.2 B., which states in part "The regulator shall not  
11 deny licensure to an applicant or impose disciplinary action against an  
12 individual's license based solely on a civil or criminal judgment against  
13 ..."; and

14 (B) Rule 52.2 C., which states in part "The regulator shall not  
15 deny licensure to an applicant or impose disciplinary action against an  
16 individual's license based solely on a professional disciplinary action ...";

17 (XXXV) The following rules of the state board of optometry  
18 concerning state board of optometry rules and regulations (4 CCR 728-1):

19 (A) Rule 1.30 B., which states in part "The regulator shall not  
20 deny registration, certification, or licensure to an applicant or impose  
21 disciplinary action against an individual's registration, certificate or  
22 license based solely on a civil or criminal judgment ..."; and

23 (B) Rule 1.30 C., which states in part "The regulator shall not  
24 deny registration, certification, or licensure to an applicant or impose  
25 disciplinary action against an individual's registration, certificate or  
26 license based solely on a professional disciplinary action ..."; and

27 (XXXVI) The following rules of the Colorado podiatry board

1 concerning podiatry rules and regulations (3 CCR 712-1):

2 (A) Rule 121 B., which states in part "The regulator shall not deny  
3 licensure to an applicant or impose disciplinary action against an  
4 individual's license based solely on a civil or criminal judgment ..."; and

5 (B) Rule 1.21 C., which states in part "The regulator shall not  
6 deny licensure to an applicant or impose disciplinary action against an  
7 individual's license based solely on a professional disciplinary action ...".

8 (q) Department of revenue;

9 (r) Department of state;

10 (s) Department of transportation; and

11 (t) Department of the treasury.

12 (2) The expiration of all rules of the public employees' retirement  
13 association, which rules were adopted or amended on or after November  
14 1, 2021, and before November 1, 2022, and which are therefore scheduled  
15 for expiration May 15, 2023, is postponed.

16 (3) The expiration of all rules of the board of equalization, which  
17 rules were adopted or amended on or after November 1, 2021, and before  
18 November 1, 2022, and which are therefore scheduled for expiration May  
19 15, 2023, is postponed.

20 (4) The recommendations of the committee on legal services as  
21 reflected in this act apply to the specified rules in the form in which the  
22 rules were considered and acted upon by the committee. Any amendments  
23 or other changes in the specified rules that became effective before  
24 November 1, 2022, that comply with the recommendations of the  
25 committee on legal services are not affected by this act. Any subsequent  
26 amendments or other changes in the specified rules that became effective  
27 on or after November 1, 2022, are not affected by this act.



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