

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0108.01 Jennifer Berman

SENATE BILL 13-073

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SENATE SPONSORSHIP

Brophy, Baumgardner, Roberts

HOUSE SPONSORSHIP

Sonnenberg,

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Senate Committees  
State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE DIVISION OF  
102 ADMINISTRATION OF THE DEPARTMENT OF PUBLIC HEALTH AND  
103 ENVIRONMENT FOLLOW RULE-MAKING PROCEDURES WHEN  
104 PROPOSING CHANGES TO GENERAL PERMITS RELATED TO WATER  
105 QUALITY CONTROL.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Water Resources Review Committee.** Currently, the division of administration (division) of the department of public health and environment may adopt new and amended permit requirements for

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

general permits related to water quality control without providing any of the following information to existing and potential permit holders:

- ! A statement of basis and purpose for the changes;
- ! Evidence and data in support of the changes; and
- ! A cost-benefit analysis of the effect the changes will have on permit holders.

The bill requires the division to comply with the rule-making procedures set forth in the "State Administrative Procedure Act" when the division proposes new or amended permit requirements with respect to general permits related to water quality control.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 25-8-503.5 as  
3 follows:

4           **25-8-503.5. General permits - process for changing permit**  
5 **requirements.** WITH RESPECT TO A GENERAL PERMIT LISTED IN SECTION  
6 25-8-502 (1) (b) (I) (G), WHEN PROPOSING NEW OR AMENDED PERMIT  
7 REQUIREMENTS FOR DISCHARGERS TO MEET TO OBTAIN OR MAINTAIN  
8 AUTHORIZATION FOR DISCHARGES UNDER THE PERMIT, THE DIVISION  
9 SHALL COMPLY WITH THE RULE-MAKING PROCEDURES SET FORTH IN  
10 SECTION 24-4-103, C.R.S.

11           **SECTION 2. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly (August  
14 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
15 referendum petition is filed pursuant to section 1 (3) of article V of the  
16 state constitution against this act or an item, section, or part of this act  
17 within such period, then the act, item, section, or part will not take effect  
18 unless approved by the people at the general election to be held in

- 1 November 2014 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.