

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

REVISED

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

LLS NO. 19-1098.01 Jacob Baus x2173

SENATE BILL 19-245

SENATE SPONSORSHIP

Gonzales, Tate

HOUSE SPONSORSHIP

Tipper,

Senate Committees
Health & Human Services

House Committees
Health & Insurance

A BILL FOR AN ACT

101 **CONCERNING GRANTING THE DEPARTMENT OF HUMAN SERVICES**
102 **RULE-MAKING AUTHORITY TO AMEND THE LENGTH OF TIME**
103 **PERMITTED TO SATISFY ADMINISTRATIVE APPEAL**
104 **REQUIREMENTS FOR THE FOOD STAMP PROGRAM IN ORDER TO**
105 **COMPLY WITH FEDERAL LAW.**

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>.)

The bill grants the department of human services rule-making authority to amend the length of time permitted to satisfy hearings and

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.

HOUSE
Amended 2nd Reading
April 29, 2019

SENATE
3rd Reading Unamended
April 24, 2019

SENATE
2nd Reading Unamended
April 23, 2019

determinations requirements pursuant to an appeal related to food stamps in order to comply with federal law.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 26-2-304 as
3 follows:

4 **26-2-304. Appeals - recoveries - rules.** (1) The provisions of
5 section 26-2-127, relating to appeals, and section 26-2-128, relating to
6 recoveries, shall apply to the food stamp program, except when such
7 sections conflict with federal statute or regulation or when a specific
8 conflict with federal statute or regulation is not clearly present and the
9 state department elects by regulation to follow federal statute or
10 regulation.

11 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, SECTION
12 26-2-127 (1)(a)(I), AND SECTION 24-4-105 (14)(a)(I), FOR PURPOSES OF
13 THE FOOD STAMP PROGRAM, THE STATE DEPARTMENT MAY PROMULGATE
14 RULES REQUIRING ANY PARTY TO FILE A NOTICE OF INTENT TO FILE
15 EXCEPTIONS WITH THE STATE DEPARTMENT, IN WRITING, WITHIN FIVE
16 DAYS AFTER SERVICE OF THE INITIAL DECISION UPON THE PARTY, OR
17 OTHERWISE FORGO THE ABILITY TO FILE EXCEPTIONS.

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