

## REGULATORY REVIEW SCHEDULE

**Regulatory Plan and Review Results:** The Department's Regulatory Plan began with the issuance of Executive Order D 2012-002. In 2012, the Department undertook a general review of its entire body of rules. In 2014, the Department completed a thorough review of all 1,935 rules under its authority, earmarking 154 rules for modification and 201 for repeal. In 2015, the Department completed a more robust regulatory plan and intends to continue its review of rules and make the associated appropriate changes consistent with the intent of SB 14-063 minimally at a rate of approximately 33 percent of the rules under its authority each year. Achieving this benchmark will result in comprehensive rule review every four years or less.

**Review Standards:** Rules were reviewed by the Department using the standards set forth in the Department of Regulatory Agencies' guidance. DPA now reports that it oversees 1,765 individual rules.

**Category of Rule to be Reviewed by Year:** Looking forward, the Department will analyze rules according to an annual schedule that touches approximately 33 percent of the rules under the Department's authority each year from now through 2016. In 2016 the cycle will repeat. In 2015, rules primarily affecting the Office of Administrative Courts, the Division of Central Services, and Procurement were addressed. Rules governing Risk Management, the Colorado State Archives and the State Travel Program were repealed in concert with the intent of the Governor's original Pits & Peeves directive and the intent of SB 14-063.

In 2016, the Department anticipates conducting rulemaking that primarily streamlines and addresses procurement and electronic signatures, both under the oversight of the Office of the State Controller.

The Department does not undergo sunset reviews that will interrupt the progress of this schedule.

**Jurisdiction/Authority of Rulemaking Body:** The Department operates primarily under the authority of Title 24 of the Colorado Revised Statutes. As part of its annual review process, the Department cross-reviewed its authorities both from the statutes looking toward rulemaking authority, as well as from the existing rule and linking it back to the enabling statute.

**2015 Actions Taken:** Changes in civil procedures occasioned by the Colorado Supreme court required DPA to update Worker's Compensation procedural rules in the office of Administrative Courts. Colorado State Archives repealed its rate rules pursuant to the passage of SB15-190. Additionally, DPA repealed four sets of rules deemed obsolete: the Public Safety Trust Fund rules were repealed due to the transfer of the program from under DPA's authority to the Governor's Office of Information Technology's authority, the State Archives rate rules, the State Travel Program rules and the majority of the Risk Program rules.

Rules governing three major programs in the Division of Central Services were reviewed and updated: the State Parking Program rules, the Capitol Complex Grounds Permit Program and rules regarding equipment waivers. Rules governing the State Procurement Program were modified and streamlined regarding the construction procurement process and creating consistency with the State's migration from COFRS to its new CORE accounting system.

The Division of Human Resources also completed a rulemaking regarding the Family Medical Leave Act that started prior to the issuance of DPA's 2014 report.

**Actions Pending and 2016 Regulatory Agenda:** The Department filed its 2016 regulatory agenda with the Colorado Secretary of State and posted to the Department's website on Oct. 30, 2015, in compliance with HB12-1008. The Department anticipates it will conduct a minimum of three rulemakings throughout the year - some to clarify existing rules, some to address structural changes to the Department's operations driven by new legislation, and some to repeal obsolete rules. The Department's full 2016 regulatory agenda is attached (see *Appendix C*).

### Regulatory Priorities for DPA in 2016:

- Repeal rules governing Electronic Signatures, which are no longer under DPAs statutory authority;
- Modify Procurement Program rules as part of DPA's procurement process review;

Update Procurement Program rules to comply with statutorily-required contractual language.