

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0142.01 Jennifer Berman x3286

SENATE BILL 13-152

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SENATE SPONSORSHIP

Aguilar,

HOUSE SPONSORSHIP

May,

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Senate Committees  
Health & Human Services

House Committees

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A BILL FOR AN ACT

101      **CONCERNING THE CONTINUATION OF THE ASBESTOS ABATEMENT**  
102           **CERTIFICATION PROCESS CONDUCTED BY THE DEPARTMENT OF**  
103           **PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION**  
104           **THEREWITH, IMPLEMENTING THE DEPARTMENT OF**  
105           **REGULATORY AGENCIES' RECOMMENDATIONS IN THE 2012**  
106           **SUNSET REPORT.**

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**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://www.leg.state.co.us/billsummaries>.)*

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.*

**Sunset Process - Senate Health and Human Services Committee.** The bill implements the recommendations of the department of regulatory agencies' review of the Colorado department of public health and environment's certification process in connection with asbestos abatement by:

- ! Continuing the certification process for 9 years, until 2022; and
- ! Requiring property owners applying for permits to renovate or demolish property to disclose knowledge of whether the property has been inspected for asbestos. A local government entity need not require a property owner applying for a property renovation or demolition permit to make the disclosure until the entity has updated its application forms, which it may do when it otherwise creates and disseminates updated application forms pursuant to its standard practice.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend**  
3 (44) introductory portion and (53.5) introductory portion; **repeal** (44) (n);  
4 and **add** (53.5) (c) as follows:

5 **24-34-104. General assembly review of regulatory agencies**  
6 **and functions for termination, continuation, or reestablishment.**

7 (44) The following agencies, functions, or both, ~~shall~~ terminate on July  
8 1, 2013:

9 (n) ~~The certification of persons in connection with the control of~~  
10 ~~asbestos pursuant to part 5 of article 7 of title 25, C.R.S.;~~

11 (53.5) The following agencies, functions, or both, ~~shall~~ terminate  
12 on September 1, 2022:

13 (c) ~~THE CERTIFICATION OF PERSONS IN CONNECTION WITH THE~~  
14 ~~CONTROL OF ASBESTOS PURSUANT TO PART 5 OF ARTICLE 7 OF TITLE 25,~~  
15 ~~C.R.S.~~

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-7-512 as

1 follows:

2 **25-7-512. Repeal of part.** This part 5 is repealed, effective July  
3 ~~1, 2013. Prior to such~~ SEPTEMBER 1, 2022. BEFORE THE repeal, the  
4 DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE functions of  
5 the division under this part 5 ~~shall be reviewed~~ as provided for in section  
6 24-34-104, C.R.S.

7 **SECTION 3.** In Colorado Revised Statutes, **add** 25-7-509.5 as  
8 follows:

9 **25-7-509.5. Building permits.** (1) EXCEPT AS OTHERWISE  
10 PROVIDED IN SUBSECTION (2) OF THIS SECTION, A LOCAL GOVERNMENT  
11 ENTITY WITH AUTHORITY TO ISSUE BUILDING PERMITS SHALL REQUIRE A  
12 PROPERTY OWNER APPLYING FOR EITHER A PERMIT TO RENOVATE  
13 PROPERTY OR A PERMIT TO DEMOLISH PROPERTY TO DISCLOSE, ON THE  
14 PERMIT APPLICATION FORM, WHETHER THE PROPERTY OWNER KNOWS IF  
15 THE PROPERTY HAS BEEN INSPECTED FOR ASBESTOS.

16 (2) (a) A LOCAL GOVERNMENT ENTITY WITH AUTHORITY TO ISSUE  
17 BUILDING PERMITS NEED NOT UPDATE ITS APPLICATION FORMS TO INCLUDE  
18 THE DISCLOSURE REQUIRED BY SUBSECTION (1) OF THIS SECTION UNTIL  
19 THE ENTITY OTHERWISE CREATES AND DISSEMINATES UPDATED  
20 APPLICATION FORMS PURSUANT TO ITS STANDARD PRACTICE. THE LOCAL  
21 GOVERNMENT ENTITY NEED NOT REQUIRE A PROPERTY OWNER APPLYING  
22 FOR A PERMIT TO RENOVATE OR DEMOLISH PROPERTY TO MAKE THE  
23 DISCLOSURE REQUIRED BY SUBSECTION (1) OF THIS SECTION UNTIL IT HAS  
24 UPDATED ITS APPLICATION FORMS.

25 (b) WHEN UPDATING THE APPLICATION FORM FOR A PERMIT TO  
26 RENOVATE PROPERTY OR A PERMIT TO DEMOLISH PROPERTY, THE LOCAL  
27 GOVERNMENT ENTITY SHALL INCLUDE ON THE APPLICATION FORM

1 SUBSTANTIALLY THE FOLLOWING INFORMATION:

2  **I DO NOT KNOW IF AN ASBESTOS INSPECTION HAS**  
3 **BEEN CONDUCTED ON THIS PROPERTY.**

4  **AN ASBESTOS INSPECTION HAS BEEN CONDUCTED**  
5 **ON THIS PROPERTY ON OR ABOUT:**

6 \_\_\_\_\_

7 **(DATE)**

8  **AN ASBESTOS INSPECTION HAS NOT BEEN**  
9 **CONDUCTED ON THIS PROPERTY.**

10 **SECTION 4. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.