First Regular Session Sixty-ninth General Assembly STATE OF COLORADO

REENGROSSED

This Version Includes All Amendments Adopted in the House of Introduction SENATE BILL 13-152

LLS NO. 13-0142.01 Jennifer Berman x3286

SENATE SPONSORSHIP

Aguilar,

HOUSE SPONSORSHIP

May,

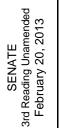
Senate Committees Health & Human Services **House Committees**

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.

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.)





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.
- 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
1, 2013. Prior to such SEPTEMBER 1, 2022. BEFORE THE repeal, the
DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE functions of
the division under this part 5 shall be reviewed as provided for in section
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 REOUIRE 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.

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

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1 SUBSTANTIALLY THE FOLLOWING INFORMATION: 2 **I DO NOT KNOW IF AN ASBESTOS INSPECTION HAS** 3 **BEEN CONDUCTED ON THE BUILDING MATERIALS THAT** 4 WILL BE DISTURBED BY THIS PROJECT. □ AN ASBESTOS INSPECTION HAS BEEN CONDUCTED 5 6 **ON THE BUILDING MATERIALS THAT WILL BE DISTURBED** 7 **BY THIS PROJECT ON OR ABOUT:** 8 9 (DATE) 10 □ AN ASBESTOS INSPECTION HAS NOT BEEN 11 **CONDUCTED ON THE BUILDING MATERIALS THAT WILL BE DISTURBED BY THIS PROJECT.** 12 13 **SECTION 4. Safety clause.** The general assembly hereby finds, 14 determines, and declares that this act is necessary for the immediate 15 preservation of the public peace, health, and safety.