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August 23, 2017

The Honorable Wayne W. Williams
Colorado Secretary of State
1700 Broadway, Suite 200
Denver, Colorado 80290

RE: Correction to Rules Pertaining to the Administration and Enforcement of the
Farm Products Act and the Commodity Handlers Act, 8 CCR 1202-11
Rule Opinion Correction, SOS Tracking No. 2017-00373

Dear Mr. Secretary:

Pursuant to section 24-4-103(11)(I)(A), C.R.S., the Colorado Department of Agriculture requests a correction to the statutory citations in the above referenced rules. With the passage of SB17-225, the General Assembly relocated the Farm Products Act and the Commodity Handler Act, which has rendered the rule's citations to the statute inaccurate.

SB17-225, and the organizational recodification of Title 12, relocated The Commodity Handler and Farm Products Acts from Title 12, Article 16, to Title 35, Articles 36 and 37. The non-substantive relocation requires that statutory references within the rules be changed to accurately reflect the new citations; the current rules still reference title 12 citations. Additionally, the changes will put the Commodity Handler Act (Article 36) in front of the Farm Products Act (Article 37), which requires the order of the titles to be reversed. Specifically, the Department of Agriculture seeks to make the following changes:

Title of Rule: *Farm Products* to be changed to *Commodity Handler*
Commodity Handler to be changed to *Farm Products*
12-16-101-223 to be changed to *35-36-101 through 125* and *35-37-101*
through 122

Part 1: *12-16-117(1)* to be changed to *35-37-120(1)*
12-16-210(1) to be changed to *35-36-111(1)*

Part 2: *Part 1* to be changed to *Article 37*
Part 2 to be changed to *Article 36*
Farm Products to be changed to *Commodity Handler*

Commodity Handler to be changed to *Farm Products*

Part 3: *Part 1* to be changed to *Article 37*
Part 2 to be changed to *Article 36*
Farm Products to be changed to *Commodity Handler*
Commodity Handler to be changed to *Farm Products*

Part 5:

5.1 *Farm Products* to be changed to *Commodity Handler*
Commodity Handler to be changed to *Farm Products*

5.2 *Title 12, Article 16* to be changed to *35-36-119, C.R.S.* and *35-37-106, C.R.S.*

5.5 *Title 12, Article 16* to be changed to *Title 35, Articles 36 and 37*

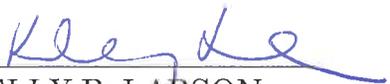
5.6 *12-16-106* and *12-16-218* to be changed to *35-37-106* and *35-36-119*
12-16-108(1)(d) and *12-16-206.5(1)(e)* to be changed to *35-37-108(1)(d)* and
35-36-107(1)(e)

5.9 *Title 12, Article 16* to be changed to *Title 35, Article 36 and 37*
Title 12, Article 16 to be changed to *Title 35, Article 36 and 37*

I submit that section 24-4-103(11)(I)(A), C.R.S., applies to this non-substantive rule change, and request that, pursuant to section 24-4-103(11)(I)(II), C.R.S., the Secretary of State make the above changes in the Code of Colorado regulations. Thank you for your assistance in correcting these errors. Please contact me if I can provide you with any additional information.

Sincerely,

FOR THE ATTORNEY GENERAL


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