

# Preliminary Draft of Proposed Rules

## Colorado Department of State General Policies and Administration Rules, et seq<sup>1</sup> 8 CCR 1505-3, et seq<sup>2</sup> December 13, 2024

### Disclaimer:

In accordance with the State Administrative Procedure Act, this draft is filed with the Department of State and submitted to the Department of Regulatory Agencies.<sup>3</sup>

This is a preliminary draft of the proposed rules that may be revised before the January 14, 2025, rulemaking hearing. If changes are made, a revised copy of the proposed rules will be available to the public and a copy will be posted on the Department of State's website no later than **January 9, 2025**.<sup>4</sup>

*Amendments to 8 CCR 1505-3 are as follows:*

*Amendments to Rule 3.6.1 are as follows:*

### 3.6.1 Answers

- (a) A respondent who is served an administrative complaint is required to file a written answer, a motion under C.R.C.P. 12(b), a motion for enlargement of time, or a motion to stay proceedings due to settlement within ~~30~~<sup>3024</sup> days after the service or mailing of notice of the proceeding. If a respondent receiving such notice fails to file an answer, a hearing officer may enter a default against that respondent.

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<sup>1</sup> Additional regulations are amended as a result of this rulemaking. The amended rules are: the rules concerning elections, campaign and political finance, the Colorado Charitable Solicitations Act, lobbyist regulation, and notary program.

<sup>2</sup> The additional regulations' CCR numbers are: 8 CCR 1505-1, 1505-6, 1505-8, 1505-9, and 1505-11.

<sup>3</sup> Sections 24-4-103(2.5) and (3)(a), C.R.S.

<sup>4</sup> Section 24-4-103(4)(a), C.R.S. "[A]ny proposed rule or revised proposed rule by an agency which is to be considered at the public hearing...shall be made available to any person at least five days prior to said hearing."

(1) ~~Exception for if a respondent is a licensee. The respondent is required to file a written answer, motion under C.R.C.P. 12(b), a motion for enlargement of time, or a motion to stay proceedings due to settlement within 30 days after the service or mailing of notice of the proceedings.~~

~~(2)~~—Exception for expedited hearings. Answers, if required or requested, will be addressed in the hearing officer's scheduling order.

(b) A respondent may, but is not required to, file a written answer during a stay of proceedings or if the administrative complaint is dismissed. If a stay of proceedings is lifted and complaint proceedings resume, respondent must file a written answer or responsive pleading within ~~30~~<sup>21</sup> days or as provided by the hearing officer.

~~(1)~~—~~Exception for if a respondent is a licensee. The respondent is required to file, if a stay of proceedings is lifted and complaint proceedings resume, a written answer or responsive pleading within 30 days.~~

*Amendments to 8 CCR 1505-1 are as follows:*

*There are no changes to 8 CCR 1505-1.*

*Amendments to 8 CCR 1505-6 are as follows:*

*There are no changes to 8 CCR 1505-6.*

*Amendments to 8 CCR 1505-8 are as follows:*

*There are no changes to 8 CCR 1505-8.*

*Amendments to 8 CCR 1505-9 are as follows:*

*There are no changes to 8 CCR 1505-9.*

*Amendments to 8 CCR 1505-11 are as follows:*

*There are no changes to 8 CCR 1505-11.*