

**DEPARTMENT OF REGULATORY AGENCIES  
DIVISION OF REAL ESTATE  
CONSERVATION EASEMENTS  
4 CCR 725-4**

**NOTICE OF PROPOSED RULEMAKING HEARING  
MAY 17, 2010**

**A-3 ELIGIBILITY FOR CONSERVATION EASEMENT HOLDERS AFTER REVOCATION**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Division of Real Estate (the "Division") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Division regarding the conservation easement certification program.

- Section 1. Authority
- Section 2. Scope and Purpose
- Section 3. Applicability
- Section 4. A-3 Eligibility for Conservation Easement Holders after Revocation

**Section 1. Authority**

The Division of Real Estate adopts the following permanent rule entitled, **A-3 Eligibility for Conservation Easement Holders after Revocation**, according to the authority found in section 12-61-720 (11) C.R.S.

**Section 2. Scope and Purpose**

Pursuant to section 12-61-720 (11), C.R.S., the Division shall have the authority to promulgate rules for the conservation easement certification program. The specific purpose of this rule is to define a time when a conservation easement holder may reapply for certification after revocation of their original certification by the Division.

**Section 3. Applicability**

This rule applies to any nonprofit entity and any government entity that hold conservation easements for which a tax credit is claimed pursuant to section 39-22-522, C.R.S.

**Section 4. A-3 Eligibility for Conservation Easement Holders after Revocation**

Any conservation easement holder whose certification to hold a conservation easements is revoked is rendered ineligible to apply again for certification until more than two years have elapsed from the date of surrender of the certification. Any re-application after such two-year period shall be required to be submitted on a new application.

**A hearing on the above subject matter will be held on May 17, 2010 at the Colorado Division of Real Estate, 1560 Broadway, Suite 1250 C, Denver, Colorado 80202 beginning at 1:00 p.m.**

Any interested person may participate in the rule making through submission of written data, views and arguments to the Division of Real Estate. Persons are requested to submit data, views and arguments to the Division of Real Estate in writing no less than ten (10) days prior to the hearing date and time set forth above. However, all data, views and arguments submitted prior to or at the rulemaking hearing or prior to the closure of the rulemaking record (if different from the date and time of hearing), shall be considered.

Please be advised that the rule being considered is subject to further changes and modifications after public comment and formal hearing.