



Legislative Report | May 15, 2023

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Agriculture, Wildlife & Rural Affairs

Chair: Commissioner Terry Hofmeister, Phillips County
Vice Chair: Commissioner Gordon Westhoff, Morgan County
CCI Staff: Reagan Shane

No Legislation



General Government

Chair: Commissioner Scott James, Weld County

Vice Chair: Commissioner Jody Shadduck-McNally, Larimer County

CCI Staff: Eric Bergman

HB23-1032, Civil Action Remedy Provisions for Persons with Disabilities

HB 1032 will allow people with disabilities to bypass state administrative requirements and file their complaints direct in court in instances where businesses or governments have committed violations under the Colorado Anti-Discrimination Act and Americans with Disabilities (ADA) Act.

Position: Monitor

Sponsors: Rep. D. Ortiz and Sen. Rodriguez

Final Status: Awaiting Governor's Signature

HB23-1057, Restroom Amenities for All Genders in Public Buildings

Beginning in 2024, HB 1057 requires that all newly constructed public buildings provide a non-gendered restroom facility or a multi-stall non-gendered facility on each floor where restrooms are available. New buildings that are slated for construction but have already gone through the design review process are exempt from this requirement. The bill also requires that if any major restroom renovation takes place in an *existing* public building, the owner must comply with the non-gender restroom availability requirement. Historic buildings and buildings that are leased by a governmental entity are exempt from the non-gender bathroom requirements. The bill also requires that at least one diaper changing station be made available in a non-gender restroom on each floor where there is a public restroom. The bill allows diaper changing stations to be in areas other than bathrooms, as long as these areas are cleaned with the same regularity as bathrooms. Finally, the bill requires signage alerting the public to the presence of a diaper changing station using pictograms that are void of gender. The bill provides for legal recourse for employees in public buildings that do not comply with the non-gender restroom requirement.

Position: Monitor

Sponsors: Rep. McCormick & Rep. Vigil, and Sen. Jaquez Lewis

Final Status: Awaiting Governor's Signature

HB23-1065, Independent Ethics Commission Oversight of Local Government Officials

As created in the state constitution, the Independent Ethics Commission has oversight for state and local elected officials (including counties). HB 1065 would have expanded the jurisdiction of the Commission to include special districts and school districts.

Position: Monitor

Sponsors: Rep. Story & Rep. Parenti, and Sen. Marchman

Final Status: Died on the Calendar

HB23-1076, Changes to Workers Compensation Law

HB 1076 makes a number of changes to workers compensation laws in the state. Specifically, the bill changes the limit on workers compensation claims by reason of mental impairment from 12 to 36 weeks, raises the allowable contingent attorney fees percentage and allows an expedited hearing for employees whose temporary total disability benefits are terminated by the employer based on an authorized medical provider's release to return to regular employment.

Position: Monitor

Sponsors: Rep. Daugherty and Sen. Marchman

Final Status: Awaiting Governor's Signature

HB23-1139, Modifications of County Salary Categorizations

HB 1139 modifies either the category or subcategory of Archuleta, Delta, Eagle, Grand, Las Animas, Ouray, Montezuma, Pitkin, Routt, Saguache and Summit counties for purposes of increasing the salaries of county elected officials. As the state constitution prohibits an elected official from receiving a raise during his/her term, these salary increases will not go into effect until the elected official is reelected in either 2024 or 2026.

Position: Support

Sponsors: Rep. Martinez and Sen. Simpson

Final Status: Signed by Governor

HB23-1149, Conduct of Elections in Small Counties

HB 1149 would have allowed smaller counties (with between 10,000 and 37,500 active electors) to apply to the Secretary of State's office to reduce the number of voter service and polling centers (VSPCs) that must be established during an election. The bill also would have allowed a county to appoint staff from the county clerk's office to serve as election judges.

Position: Support

Sponsors: Rep. Holtorf and Sen. Pelton B.

Final Status: Postponed Indefinitely

HB23-1180, Expanding Board of County Commissioners in Large Counties

HB 1180 would have required that any county with a population greater than 70,000 must move to a five-commissioner set-up, and at least three of the five commissioners must be elected by **just** by the voters in their district. Colorado statute already allows for either a referred or initiated measure to accomplish this change at the county level. A move to five commissioners can also be accomplished currently through the adoption of a county home rule charter.

Position: Oppose

Sponsors: Rep. Marshall and Sen. Priola

Final Status: Postponed Indefinitely

HB23-1259, Cure Process for Open Meetings Violations

HB 1259 prohibits a pro-se plaintiff from being awarded attorneys' fees in litigation involving a local government executive session violation.

Position: Support

Sponsors: Rep. Daugherty & Rep. Evans, and Sen. Zenzinger & Sen. Simpson

Final Status: Awaiting Governor's Signature

HB23-1279, Online Sales of Marijuana

HB 1279 removes the prohibition in statute on the ability of a retail marijuana dispensary to make sales over the internet or to deliver marijuana products to a person not physically present in the dispensary. This was the practice during COVID (achieved through executive order) and counties reported no issues with online sales and curbside pickup during the pandemic. The bill requires pickup at the licensed premises and verification of proof of age at pickup. The bill also requires that the warnings appearing on the item packaging be conveyed on the website during an online sale. The Colorado Constitution grants counties the ability to place time, place and manner restrictions on marijuana sales and this legislation does nothing to impinge on that authority.

Position: Monitor

Sponsors: Rep. Lindstedt & Rep. Sharbini, and Sen. Rodriguez

Final Status: Awaiting Governor's Signature

HB23-1287, Modification of County Short-Term Rental Licensing Authority

HB 1287 addresses county short-term rental (STR) licensing issues as they relate to vacation rental services (such as VRBO and Airbnb). The bill requires these online rental services to include the license or permit number (if applicable) of the STR on the platform, and to remove listings for those STRs which have had their license or permit suspended or revoked by a county.

Position: Support

Sponsors: Rep. McCluskie & Rep. Lukens, and Sen. Roberts & Sen. Will

Final Status: Awaiting Governor's Signature

HB23-1296, Task Force to Study Issues Related to Coloradans with Disabilities

HB 1296 will create a task force that will meet over the summer to discuss a number of policy issues involving persons with disabilities. The task force will have four separate subcommittees to discuss statutory rewrites, outdoor spaces accessibility, housing for persons with disabilities and state and local government accessibility for persons with disabilities. Several of the subgroups will have local government representatives.

Position: Amend

Sponsors: Rep. Ortiz & Rep. Herod, and Sen. Winter

Final Status: Awaiting Governor's Signature

HB23-1302, Accessibility Requirements for Housing

HB 1302 would have modified the accessible housing standards and specifications in building plans submitted to local governments beginning in July of 2023. Building departments would not have been able to issue permits for projects proposing multiple housing units without first verifying the design compliance with ADA standards and ensuring the proper ratios of dwelling units specified in the bill.

Position: No position

Sponsors: Rep. Ortiz & Rep. Lieder

Final Status: Postponed Indefinitely

SB23-053, Prohibition on Requiring Non-Disclosure Agreements

SB 053 prohibits all government employers (including counties) from making current or prospective employees sign a non-disclosure agreement (NDA). The bill exempts NDAs that would prevent disclosure of privacy interests of the employee or matters that are required to be kept confidential by federal or state law or matters bearing on the specialized details of security arrangements or investigations. The bill also exempts NDAs that prevent disclosure of trade secrets or confidential information made available to an employee by a vendor or contractor, protect the anonymity of an employee and maintain confidentiality for property sales negotiations, confidential labor relations information, vendor lists/preferences or discussions that occur in executive session.

Position: Amend

Sponsors: Sen. Kirkmeyer & Sen. Rodriguez and Rep. Evans & Rep. Woodrow

Final Status: Awaiting Governor's Signature

SB23-105, Implementation of Measures to Implement Equal Pay for Equal Work

SB 105 addresses some issues with implementation of the Equal Pay for Equal Work legislation that was passed back in 2019. As enacted, the 2019 bill required that an employer notify all employees and the public of job opportunities and allow them to apply. While this is appropriate for vacancies and newly created positions, there are a number of other job advancement situations that are not really "competitive" in nature that should not be advertised to the entire eligible workforce. One example is career progression jobs, where an employee moves up to a different title and salary based on predefined performance metrics. Another example is an instance where an employee has assumed additional duties and/or responsibilities over time and is now being given a raise and/or a revised job description to reflect these additional duties. Neither of these job advancement situations should warrant a job posting, but under the 2019 bill they were required.

SB 105 exempts "career progression" and "career development" opportunities from the job posting requirements in the original bill. The bill features several other policy changes, including an additional enforcement role for the Colorado Department of Labor and Employment and increasing the potential backpay from three years to six years for an employee in a prevailing lawsuit.

Position: Amend

Sponsors: Sen. Danielson & Sen. Buckner, and Rep. Gonzales-Gutierrez & Rep. Bacon

Final Status: Awaiting Governor's Signature

SB23-111, Public Employees' Workplace Protection

SB 111 prohibits public employers from coercing, intimidating, or imposing reprisals against employees who exercise their right to organize, form or join an employee organization. The bill applies to municipalities, special districts, higher ed, the General Assembly and counties with populations less than 7,500 (those that were not included in last year's collective bargaining legislation). The bill does not compel a local government to recognize an employee organization or enter into negotiations with any employee organization. The bill offers protection to workers who engage in concerted activities such as strikes or work stoppages and allows supervisors and managers to join employee organizations, two things that were prohibited in last year's collective bargaining legislation. The bill requires the Department of Labor to take the unique circumstances of rural counties into account during the rulemaking process.

Position: Oppose

Sponsors: Sen. Rodriguez and Rep. Woodrow

Final Status: Awaiting Governor's Signature

SB23-147, Regulation of Kratom

SB 147 was the second attempt to establish a regulatory framework for vendor registration and the processing, labeling and sale of kratom - an herbal extract from Southeast Asia that is used as a stimulant, pain reliever and for treating opioid addiction. A bill passed last year established that a vendor shall not sell kratom to anyone under 21 years of age and allowed local governments to enact ordinances or resolutions on the sale of kratom that are more stringent than statutory guidelines. That bill also directed the state health department to conduct a study of kratom regulation and issue a report to the General Assembly. SB 147 would have implemented some – but not all – of the recommendations in the report that was issued by the state health department.

Position: Amend

Sponsors: Sen. Sullivan & Sen. Ginal

Final Status: Postponed Indefinitely

SB23-172, Protecting Opportunities and Workers' Rights (POWR) Act

SB 172 establishes a new legal standard for workplace harassment claims that will replace the existing "severe or pervasive" standard. The new definition of harassment is physical or verbal conduct or written or visual communication that is subjectively offensive to an individual or objectively offensive to an individual of the same protected class. The bill provides an affirmative defense process for employers and encourages anti-harassment training in the workplace. The bill creates a record keeping requirement for employers but establishes that these records are not public records and are not subject to CORA requests. The bill also makes changes to the use of non-disclosure agreements (NDAs) in workplace settings to allow for disclosure of harassment to medical or mental health providers, religious advisors legal counsel or family.

Position: Monitor

Sponsors: Sen. Gonzales & Sen. Winter F., and Rep. Weissman & Rep. Bacon

Final Status: Awaiting Governor's Signature

SB23-244, Website Accessibility Cleanup

SB 244 addresses issues with the implementation of HB21-1110 (legislation that required all government websites be accessible to persons with visual disabilities by July of 2024). CCI and local government information technology staff have been working with the Governor's Office of Information Technology (OIT) on this issue since the bill's passage and are experiencing some challenges as many website functionalities and features are not readily adaptable to this new standard. There were also concerns with the nature of the liability in the original bill that could lead to multiple claims against a county based on each instance of website inaccessibility. SB 244 creates a reasonability standard for accessibility, provides OIT with rulemaking authority to address other issues that may emerge and prevents multiple claims from being filed for websites that may not be fully accessible. CCI has established a webpage of accessibility resources for counties: <https://ccionline.org/research/website-compliance/>.

Position: Support

Sponsors: Sen. Bridges & Sen. Zenzinger, and Rep. Bird & Rep. Sirota

Final Status: Signed by Governor

SB23-276, Modifications to Election Law

SB 276 makes numerous changes to current election practices in the state. The most important change in the bill concerns the cost allocation of holding an election. Currently, counties receive a reimbursement from the state on a per voter basis (85 or 95 cents per voter, depending on county population size). SB 276 removes that provision from statute and instead establishes a 45/55 split between the state and the county on election costs. This change in cost allocation should result in **significantly** higher cost reimbursement for counties and will account for rising election costs going forward. The bill also allows smaller counties (under 15,000) to reduce their required number of election judges at a voter and service polling center (VSPC) from three judges down to two judges.

Position: Support

Sponsors: Sen. Fenberg and Rep. Sirota

Final Status: Awaiting Governor's Signature

SB23-286, Access to Public Records

SB 286 makes a number of changes to the Colorado Open Records Act (CORA). The bill prohibits a governmental entity from charging a per page fee under CORA if the document in question is e-mailed to the requester. The bill also states that if a governmental entity accepts payments by credit card currently, it must do so for CORA requests. Finally, the bill makes records of sexual harassment complaints against an elected official (and investigatory reports regarding the harassment complaints) available for inspection if the investigation concludes that the elected official is culpable. The bill requires that the records be redacted, however, to protect the anonymity of the accuser.

Position: Monitor

Sponsors: Sen. Hansen, and Rep. Snyder & Rep. Soper

Final Status: Awaiting Governor's Signature

SB23-290, Natural Medicine Regulation and Legalization

SB 290 implements Proposition 122, a measure passed by the voters last fall that legalizes the possession, use and home growing of psilocybin (“magic mushrooms”) and other natural medicines and allows for the establishment of healing centers where psilocybin therapy can be conducted safely. SB 290 prohibits the sale of natural medicines and attempts to address law enforcement concerns over potential black and gray market activity and diversion to other states. The bill establishes limits on home grows, requiring that these grows not exceed 12’ by 12’ and be locked and enclosed if there are minors in the home. The bill also establishes probable cause for law enforcement officials making stops. Finally, the bill increases the penalty for selling to minors.

SB 290 moves future regulation and licensing of these substances out of the Department of Regulatory Agencies (DORA) and into a new division within the Department of Revenue, which currently handles licensing of recreational and medical marijuana. The bill also retains the rights of employers to restrict the use of natural medicines and natural medicine products in the workplace.

Proposition 122 specifically prohibited local governments from banning the establishment of healing centers and SB 290 preserves this limitation on local bans. SB 290 does allow local governments to enact time, place and manner restrictions on these healing centers as long as they do not constitute a de facto ban.

Position: Amend

Sponsors: Sen. Fenberg, and Rep. Amabile

Final Status: Awaiting Governor’s Signature



Health & Human Services

Chair: Commissioner Janet Rowland, Mesa County

Vice Chair: Commissioner Wendy Buxton-Andrade, Prowers County

CCI Staff: Gini Pingenot / Katie First

HB23-1024, Relative & Kin Placement of a Child

HB23-1024 adds and edits several provisions in existing statute regarding relative and/or kin (individuals with a family-like relation to the child) placements for a child who has been temporarily placed out of home.

Most significantly, the bill adds to statute that the best practice/presumption is for children to be placed with a relative or kin, unless the child's health or safety would be jeopardized by that placement. If the county department cannot find a relative or kin and the child needs to go to out of home placement, the county department should continue with due diligence to continue their search for relatives or kin.

In addition, the bill gives relatives and kin increased legal rights in child welfare cases; including granting relatives and kin the right to appeal a decision to deny them placement. County departments are also required to make reasonable efforts to place and keep children with relative or kin placements; reasonable efforts include offering services and supports, within existing available resources.

Lastly, the bill limits foster parents and kin from intervening unless the child has been placed with them for twelve or more months.

Throughout the bill, considerations for the child's mental, physical, emotional needs have been incorporated and assurances that reunification of the family will remain the focus of proceedings and case.

Position: Monitor

Sponsor(s): Rep. Gonzales-Gutierrez & Rep. Epps, and Sen. Exum & Sen. Van Winkle

Final Status: Awaiting Governor's Signature

Staff: Katie First

HB23-1027, Parent & Child Family Time

This bill is being brought forward in response to the work of the High-Quality Parenting Time Task Force, which was created by [HB21-1101](#); county human services directors, caseworkers, and attorneys participated in the task force ([view their membership here](#)).

Under the bill, this task force will continue to meet for an additional year and shall issue a report regarding strengths and needs for providing family time; identify measures to assist in building capacity for supervised family time; and best practices for funding.

Under existing law, visitation must occur when a child is taken into the custody of the county department of human services and is required to commence within 72-hours after a hearing.

Much of the bill replaces the current standard of “visitation” with a new term - “family time”, which is defined as “any form of contact or engagement between parents, legal custodians, guardians, siblings, and children or youth for the purposes of preserving and strengthening family ties”.

Under the bill, county departments are to encourage the maximum amount of family time and must propose a family time plan to the court; however, no set standard is defined in the bill. When developing the family time plan, it shall consider the child’s best interests and preferences.

It also creates a presumption that voluntary, informal supports (such as relatives, kin, or other community-based supports) should supervise family time; family time should occur in the least restrictive setting; and that these supports may also be utilized for transportation to family time.

The bill limits the court from restricting or denying family time, unless it would risk the child’s safety or mental, physical, or emotional health. Withholding family time is prohibited as a sanction for both parents and children.

Position: Monitor

Sponsor(s): Rep. Joseph & Rep. Weissman, and Sen. Winter

Final Status: Awaiting Governor’s Signature

Staff: Katie First

HB23-1043, Emergency and Continued Placement with Relative or Kin

HB23-1043, a CCI initiated bill, makes several changes to the types of convictions that would limit relatives or kin from being considered as a possible emergency and/or long-term placement option for kids in the child welfare system.

Specifically, HB23-1043:

- 1.) Removes misdemeanor convictions
- 2.) Adds timeframes for certain felony convictions
- 3.) Continues to prohibit relatives or kin with sex abuse related convictions from being considered as an emergency and/or long-term placement option

Even with these changes to statute, a thorough assessment of the relative or kin’s home and situation will occur before placement occurs to ensure a safe situation for children and youth. These changes to statute will ensure and increase safe placements of children with relatives or kin while reducing trauma for children, preserving safety, and sustaining familial ties that can increase positive outcomes for children involved in dependency and neglect cases.

Position: Support (CCI Initiated Bill)

Sponsors: Rep. Lindsay & Rep. Pugliese, and Sen. Ginal & Sen. Rich

Final Status: Signed by Governor

Staff: Gini Pingnot

HB23-1142, Information of Person Reporting Child Abuse

HB 1142 would have required notification to those calling to report potential abuse and neglect that their call is being recorded. The bill would have also required the Colorado Department of Human Services to convene a workgroup to develop recommendations for standardizing the questions asked of callers as much as practicable.

Position: Monitor

Sponsors: Rep. Pugliese, and Sen. Kirkmeyer

Final Status: Lost

Staff: Gini Pingnot

HB23-1160, Colorado Trails System Requirements

HB 1160 would have convened a task force and charged it with examining best practices for ensuring due process for those who are alleged to be responsible for child abuse or neglect (PRAN) and are listed in the state's child welfare data system (aka TRAILS). The task force would have also identified processes to help facilitate communication between the county and the PRAN and explore whether certain findings – based on their severity – should be reportable to the narrow group of employers (child care centers, churches, etc.) who receive this information now when they run a background check.

The bill would have also ensured the notification to a person with a founded finding that they: 1.) have such a finding in TRAILS and what their appeal options are (this happens currently pursuant to rule); and 2.) that those with current counsel via the Office of Respondent Parent Counsel and the Office of the Child's Representative can use that counsel for an appeal.

Position: Monitor

Sponsors: Rep. Evans

Final Status: Lost

Staff: Gini Pingnot

HB23-1201, Prescription Drug Benefits Contract Term Requirements

HB 1201 prohibits the ability of pharmacy benefit managers (PBMs – think Express Scripts (owned by Cigna), CVS Caremark (also owns Aetna) and Optum RX (owned by UnitedHealth Group) to engage in spread pricing agreements. The bill was amended to give **employers** with self-funded plans the ability to **ELECT to be subject** to the requirements that are found in the remaining portions of the bill. Those are: 1.) that covered drugs be equal to or less than the amount paid by the carriers or PBM; 2.) that a carrier disclose the prescription drug contract terms and 3.) that an audit may be performed by the division of insurance on a plan for compliance.

Position: Support

Sponsors: Rep. Daugherty & Rep. Soper, and Sen. Mullica & Sen. Smallwood

Final Status: Signed by Governor

Staff: Gini Pingnot

HB23-1236, Implementation Updates to Behavioral Health Administration

HB 1236 clarifies some of the provisions that were adopted in HB22-1278 which created the Behavioral Health Administration. Of specific note to counties is the provision regarding the ‘regional subcommittees’ of the new Behavioral Health Administrative Services Organizations (BHASOs). BHASOs regions will be determined by July 1, 2025 and they will serve as the intermediaries for those who are underinsured and uninsured to access behavioral health services.

Pursuant to HB 1236, the regional subcommittees will be staffed by the BHASOs and meet a minimum of six times a year. The regional subcommittees will consist of 9 members. Some of the members will be appointed by local public health/human service agencies, others will be appointed by the BHA commissioner and by the BHASO itself. The actual boundaries of the regional subcommittees will be informed by community feedback and based on where and how individuals receive services in their communities.

Position: Support

Sponsors: Rep. Young & Rep. Amabile, and Sen. Kolker

Final Status: Awaiting the Governor’s Signature

Staff: Gini Pingnot

HB23-1249, Reduce Justice-involvement for Young Children

After approximately ten hours of debate on the Senate Floor over the course of a week, the sponsors brought forward an amendment to re-write the bill, to collect data, provide funding for Collaborative Management Programs (CMPs) and make some administrative changes to CMPs.

Beginning in 2024, CMPs will receive an annual sum, based on a formula to be determined by the Department of Human Services; performance-based measures are no longer required by the state for CMPs. CDHS will also provide technical assistance to CMPs regarding strategies to address the needs of children who are involved in multiple systems, especially those children who have had or are likely to have contact with law enforcement.

Other agencies (such as law enforcement, district attorneys, and schools) may now make referrals to the local CMP; however, the CMP has discretion to take to on those referrals, in accordance with their memorandum of understanding.

Local CMPs will also be required to track and report on children that did not receive services and the mechanism for referrals for children, whether that be the juvenile justice system, a county department of human services, or self-identifying victims.

The General Assembly will also be required to annually appropriate money to the collaborative management cash fund.

- \$2 million to assist interested counties in operating or joining a CMP (SFY 23-24)
 - Any unexpended funds at the end of SFY 23-24 will revert to the CMP cash fund
- \$1,165,039 to CMP cash fund for existing CMPs (SFY 23-24)

Position: Oppose

Sponsor(s): Rep. Gonzales-Gutierrez & Rep. Simpson, and Sen. Simpson & Sen. Coleman

Staff: Katie First

HB23-1269, Extended Stay and Boarding Patients

HB 1269 accomplishes three things. First, it will require that Colorado Department of Health Care Policy and Financing (HCPF) to analyze whether setting minimum rate requirements for regional accountable entities (RAEs) for certain services, including residential treatment and psychotherapy, will expand access to needed services. Second, it will initiate a process to further incentive residential treatment providers to serve kids with higher acuity needs by creating an incentive funding pool. And, finally, it requires data to be collected to identify the breath of children and youth who meet criteria for extended stay and boarding and to analyze solutions.

Position: Support

Sponsors: Rep. Michaelson Jenet & Rep. Gonzales Gutierrez, and Sen. Bridges & Sen. Gardner

Final Status: Awaiting the Governor's Signature

Staff: Gini Pingnot

HB23-1300, Continuous Eligibility Medical Coverage

HB 1300 requires the Department of Health Care Policy and Financing (HCPF) to extend continuous eligibility to select groups and produce a report studying extending eligibility to additional groups. Specifically, the populations that will be continuously eligible under HB 1300 will be children under three and adults recently released from incarceration. Under HB 1300 – and once a waiver has been approved by the federal government – these populations will not be disenrolled from Medicaid or the Children Health Plan Plus (CHP+) until they reach the age of three or have been out of incarceration for 12 months, respectively. The bill requires HCPF to seek federal approval for these populations by April 1, 2024.

HCPF will also produce a report by January 1, 2026 studying the feasibility of extending continuous eligibility to all adults, with a special emphasis on low-income and homeless adults, and children under six.

Position: Support

Sponsors: Rep. Bird & Rep. Sirota, and Sen. Zenzinger & Sen. Kirkmeyer

Final Status: Awaiting the Governor's Signature

Staff: Gini Pingnot

HB23-1307, Juvenile Detention Services & Funding

Under current law, juveniles that have been accused or adjudicated of a crime, must go through a screening process that determines the appropriate placement, including secure detention, staff secure facilities (typically private, contracted facilities), shelter care, electronic monitoring, or home with parents or kin. The Colorado Department of Human Services (CDHS) is responsible for this process and the detention facilities.

There are eight youth detention facilities across the state and beds within these facilities are allocated across judicial districts. Historically, the number of available juvenile detention beds was determined by the Joint Budget Committee, based on available funding and data projections, until 2021 when the

legislature passed a bill to establish a cap of 215 juvenile detention beds (a reduction of 115 beds from the prior year). The same bill tasked an existing work group to review data and provide recommendations on the juvenile detention bed cap and recommendations to enhance the continuum of community-based services and placement options for juvenile offenders.

This cap has become increasingly problematic for the Colorado Youth Detention Continuum (CYDC) coordinators, local county human services departments and district attorneys. When a judicial district approaches their allocated detention bed cap, the responsibility of identifying safe, community-based treatment placements falls to the local county human services staff. Colorado has a significant shortage in services all along the behavioral health continuum, making this an extraordinarily difficult task.

This year, CDHS has worked with the JBC to set aside \$3.3 million in General Fund to address this problem, HB1307 spends these funds in the following ways to address this problem:

- \$1.359 million for temporary emergency detention beds (provides approximately 22 beds over the cap) available through a court order
- \$1.780 million to be allocated to CDHS to incentivize and remove barriers to community residential facility providers (who provide placements in lieu of detention)
- \$200k to be allocated to judicial districts for community-based outpatient therapeutic services, mentorship services, and supports to assist with moving youth who require out of home placement quickly from detention to out of home placement.

To access the temporary emergency detention beds, a district attorney or a county department of human services, must petition the court and can access beds if:

- All statutorily available beds allocated to the district are utilized
- Beds loaned by the district have been relinquished
- No beds are available in the catchment area
- No beds available in any facility within 50 miles of the districts assigned facility (however, considerations are included to avoid unnecessary transfers)

The bill also requires a guardian ad litem to be appointed to all juveniles during their detention hearing, which will serve until they are released from detention.

CDHS will also be responsible for collecting additional data regarding youth who are releasable from detention pending the availability of the proper alternative placement; use of temporary emergency detention beds; and youth released from detention due to the bed cap.

Position: Amend

Sponsor(s): Rep. Daugherty & Rep. Soper and Sen. Rodriguez & Sen. Simpson

Final Status: Awaiting Governor's Signature

Staff: Katie First

SB23-039, Reduce Child & Incarcerated Parent Separation

This bill addresses the involvement of an incarcerated parent (in a Department of Corrections (DOC) facility, a private correctional facility under contract with DOC, or a county jail) whose child is subject to a dependency and neglect case with a county human services department.

The bill creates a “right to appear” for parents in dependency and neglect cases; however, the hearing may proceed if the parent is not present.

Caseworkers will still be required to involve an incarcerated parent in the planning and services for their child; however, that is now triggered by the caseworker’s knowledge of the parent becoming incarcerated and the caseworker shall document these efforts. The caseworker shall include in their plan opportunities for meaningful “family time” between the child and parent; this is not required to occur in-person if it is not reasonably practicable. However, the caseworker and the carceral facility shall communicate regarding the facility’s ability to facilitate virtual family time.

For incarcerated parents, upon the caseworker’s knowledge of incarceration, the caseworker shall include with the treatment plan, a report (as opposed to a brand-new plan) of the available services and treatments available in the carceral facility or the caseworker’s efforts to obtain that information.

For parents who have been “continuously incarcerated” for more than thirty-five days a report of available treatment and services, or efforts to obtain the information, will be provided at the next scheduled hearing.

The bill removes “long term confinement” as a reason to terminate parental rights.

In determining a placement for a child whose parent has been incarcerated, the primary consideration shall be the child’s mental, physical, and emotional needs. The court shall also consider if the parent has maintained a meaningful relationship with their child and if the proposed placement would allow for a meaningful relationship to continue. In considering meaningful relationship, the court shall primarily consider the child’s mental, physical, and emotional needs and the child’s best interests. However, the parent’s incarceration cannot be the sole reason for the placement to not be in the child’s best interests. The court shall also consider the parents efforts to comply with the treatment plan in making this determination.

Each Sherriff is required to designate an existing staff member in the jail, who is responsible for communicating with the human services department to help facilitate with communication and family time between incarcerated parents and their children who are subject to a dependency and neglect case. The bill makes a similar requirement to a staff member with DOC.

Position: Monitor

Sponsor(s): Sen. Buckner, and Rep. Amabile

Final Status: Awaiting Governor’s Signature

Staff: Katie First

SB23-064, Continue the Office of Public Guardianship

For almost a decade, Colorado has diligently worked on the issue of providing guardianship services to indigent and at-risk adults who lack sufficient capacity to make decisions on their own. To date, the Colorado Office of the Public Guardianship consists of a handful of people who are piloting guardianship services in the second Judicial District which covers the City and County of Denver.

SB 64 indefinitely extends the guardianship office (it is scheduled to end on June 30, 2024), extends the guardianship services to every judicial district in the state by December 31, 2030, creates a 7 members board to oversee the Office’s work, and requires guardians to ultimately be certified to preform the work that is required.

Position: Support

Sponsors: Sen. Gardner & Sen. Ginal, and Rep. Snyder & Rep. Armagost

Final Status: Awaiting the Governor's Signature

Staff: Gini Pingnot

SB23-082, Colorado Fostering Success Voucher Program

SB23-082 creates the Colorado Fostering Success Voucher Program for individuals between 18 and 26 who have prior foster care or kinship care involvement and are currently experiencing or at imminent risk of homelessness, to provide housing vouchers and case management services.

The program will be jointly implemented by the State Department of Human Services (CDHS) and Department of Local Affairs (DOLA). Availability, standards, and services for the program are described in the bill.

Funding for this program was requested by the Colorado Department of Human Services for their next budget. The request includes funds for the vouchers, additional case management services, and FTE to provide the necessary assistance. [The departments budget request is available here.](#)

Position: Support

Sponsor(s): Sens. Zenzinger & Kirkmeyer and Reps. Amabile & Michaelson Jenet

Final Status: Awaiting Governor's Signature

Staff: Katie First

SB23-210, Update Administration of Certain Human Services

SB 210 makes a series of modifications to various boards and commissions throughout state departments. One of the predominate changes is allowing those who serve to receive compensation for doing so, when appropriate.

The policy change that will interest counties pertains to the citizen review panels. Interestingly enough, the policy change in SB 201 is one that some counties have sought/requested CCI to initiate in past years. Specifically, the bill will allow those with grievances concerning the conduct of county department personnel in performing child welfare duties to either: 1.) continue to file a complaint with the county; 2.) direct complaints to the Child Protection Ombudsman OR 3.) pursue both processes.

Position: Support

Sponsors: Sen. Exum, and Rep. Ricks & Rep. Frizell

Final Status: Awaiting the Governor's Signature

Staff: Gini Pingnot



Justice & Public Safety

Chair: Commissioner Tamara Pogue, Summit County
Vice Chair: Commissioner Longinos Gonzalez, El Paso County
CCI Staff: Katie First

HB23-1075, Wildfire Evacuation & Clearance Time Modeling

HB23-1075 requires the state Office of Emergency Management to conduct a study of the efficacy and feasibility of integrating evacuation and clearance time modeling into emergency management plans.

Position: Monitor
Sponsor(s): Rep. Snyder & Rep. Joseph and Sen. Exum
Final Status: Awaiting Governor's Signature

HB23-1096, Wildfire Resilient Homes

HB23-1096 expands the existing Wildfire Mitigation Resources and Best Practices grant program to allow grant recipients to expend funds on programs, education and resources that will assist homes be more resilient to wildfire, for homes located in high-risk wildfire areas.

Commissioners are concerned about how homes built or rebuilt with these resources may become out of compliance with the potential creation of the Wildfire Resiliency Code Board and its building code requirements. In addition, they feel more private partnerships should be utilized to accomplish this mission.

Position: Oppose
Sponsor(s): Rep. Snyder
Final Status: Postponed Indefinitely

HB23-1100, Restrict Government Involvement in Immigration Detention

Beginning January of 2024, the bill would prohibit various types of involvement between state or local governments with private entities for the detaining of immigrants, selling property to the private entity and defraying costs to build a facility.

In addition, government entities may not enter or renew immigration detention agreements; for entities with such an agreement, the entity will terminate the agreement by January 1, 2024.

Position: Oppose
Sponsor(s): Rep. Ricks & Rep. Garcia and Sen. Jaquez-Lewis & Sen. Gonzales
Final Status: Awaiting Governor's Signature

HB23-1151, Clarifications to 48-Hour Bond Hearing Requirement

Under current law, bond hearings must occur within 48 hours for municipal and county court. The bill clarifies that drug or alcohol use and serious medical or behavioral health emergencies are not violations of the 48 hour hearing rule; however, when the emergency has been abated, the Sheriff shall bring the individual at the next scheduled bond hearing. When this occurs, the Sheriff shall provide the court with the details of the occurrence and document the circumstances. The bill maintains the usage of audiovisual or telephone conferencing for these purposes.

The bill also clarifies that the 48 hour requirement applies whether:

- The individual is held in custody in a jurisdiction other than the one that issues the arrest warrant; or
- Money bond was previously set ex parte.

Position: Monitor

Sponsor(s): Rep. Woodrow & Rep. Bockenfeld and Sen. Rodriguez & Sen. Gardner

Final Status: Governor Signed

HB23-1153, Pathways to Behavioral Health Care

The bill requires the Colorado Department of Human Services (CDHS) to conduct a feasibility study regarding the intersection of Colorado's behavioral health service availability and the Judicial System to determine the feasibility of establishing a system to support individuals with serious mental illness' access to behavioral health care and housing support services. The study shall be submitted by December 31, 2023 to the General Assembly, the Governor and impacted state departments.

Position: Support

Sponsor(s): Rep. Armagost & Rep. Amabile and Sen. Pelton & Sen. Rodriguez

Final Status: Awaiting Governor's Signature

HB23-1165, County Authority to Prohibit Firearms Discharge

The bill amends the circumstances for when a county may limit the discharge of firearms by replacing the current population per square mile threshold to a 35 dwellings per square mile threshold and removing the prevention of discharge on private grounds.

The bill maintains that firearms may still be discharged in these areas by: a peace officer, an indoor shooting gallery on a private residence and a licensed shooting range. The following activities are also exempt: lawful hunting, livestock management and wildlife management.

Lastly, the bill maintains that this section does not "permit a board of county commissioners to restrict or otherwise affect any person's constitutional right to bear arms or own or possess arms or to use arms in defense of self, family, or property".

Position: Oppose

Sponsor(s): Rep. Amabile & Rep. McCormick and Sen. Jaquez Lewis

Final Status: Postponed Indefinitely

HB23-1237, Inclusive Language Emergency Situations

The bill requires the University of Colorado’s Natural Hazards Center to conduct a study regarding:

1. Agencies that need to be able to provide emergency alerts in a minority language by July 1, 2024; and
2. What local 911 agencies need to provide live interpretation during a 911 call by July 1, 2024.

The study will review:

- Essential components of a warning system without having to “opt in” to alerts & the ability to provide alerts in minority languages;
- Identify agencies current capabilities & gaps requiring correction;
- Identify funding resources for the creation of a grant program;
- Determine best practices; and
- Present research regarding effective emergency alerts for people with disabilities.

Position: Monitor

Sponsor(s): Rep. Velasco and Sen. Will

Final Status: Awaiting Governor’s Signature

HB23-1270, Creation of Urgent Incident Response Fund

The bill creates the “Urgent Incident Response Fund” within the Division of Homeland Security and Emergency Management for local governments, including municipalities, counties, and tribal governments, to be reimbursed for the costs of responding to urgent incident that do not rise to the level of disaster or emergency. Following the immigration crisis that occurred in Denver at the beginning of 2023, the state saw a need to support local governments in responding to such incidents.

Disaster is defined in CRS 24-33.5-703(3) as “the occurrence or imminent threat of widespread or severe damage, injury, or loss of live or property resulting from any natural cause or cause of human origin”. Emergency is defined in CRS 24-33.5-703 (3.5) as “an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures”.

The division will be required to promulgate rules regarding the criteria for reimbursement and publish information on their website regarding local governments that receive and utilized reimbursements.

Position: Support

Sponsor(s): Rep. Garcia & Rep. Lindsay and Sen. Gonzales

Final Status: Awaiting Governor’s Signature

SB23-166, Establishment of a Wildfire Resiliency Code Board

The concept for this bill goes back to July 2021, when Governor Polis requested the Colorado Fire Commission to consider a statewide approach for land use planning and building resiliency in the Wildland Urban Interface (aka WUI) ([view the letter here](#)). The Fire Commission recommended the creation of a board to define the WUI and building codes that would apply.

[SB23-166](#) creates the “Wildfire Resiliency Code Board” which is a type 2 entity ([learn more about the types of entities here](#)), with the caveat that “the board exercises its powers and performs its duties and functions under the division [of Fire Prevention and Control] and the executive director [of the Department of Public Safety, Director Stan Hilkey]”.

The 21-person board includes building code officials, fire marshals, land use planners, hazard mitigation professionals and many other related professions. It also contains six local government officials – three from counties and three from municipalities. Of the three county representatives, one must represent rural areas, one must represent urban areas, and one that has, prior to September 30, 2023, adopted a code that minimally provides for wildfire resilient structures and best practices. Appointments are made by the majority and minority parties of legislative leadership and the Executive Director of the Department of Public Safety. The members must reside or work in areas at high risk of wildfire, until the WUI is defined, then they must reside or work in the WUI. There must also be reasonable efforts made to make geographically and demographically diverse appointments.

The “Wildfire Resiliency Code Board” has the power and duty to adopt statewide codes and standards for the hardening of structures and reducing fire risk in the defensible space surrounding structures in the wildland urban interface in Colorado.

The rules of the board must:

1. Define the WUI and identify the areas of Colorado that are included within it.
 - Except any thirty-five acre parcel with only one residential structure on it.
 - The board may consider best practices including, but not limited to practices of other states and the federal government; regional differences and risks within the state. environmental, health, and safety impacts; any existing definitions; and individual risk profiles identified by the Colorado State Forest Service.
 - The definition shall be updated once every three years, if the board determines necessary.
2. Adopt minimum codes and standards that must be adopted by local jurisdictions in the WUI – which must:
 - Be based on best practices to reduce the risk to life and property from the effects of wildfires;
 - Consider fiscal impacts of adopting such codes, including costs to county governments and consider regional risk profiles within the state, environmental impacts, existing model codes, regional differences in affordability, density, and existing building and property maintenance codes, and health and safety impacts;
 - Apply to new construction of structures or defensible space around structures and for new construction for external additional, alteration, or repair to a structure or the defensible space around the structure (additional considerations for size & expansion are included), the bill explicitly says “the codes shall not apply to interior alterations of existing structures”;
 - Be initially adopted no later than July 1, 2025
3. Identify the range of hazards and the types of buildings, entities, and defensible space around structures within the WUI that the codes apply
4. Establish
 - a process for a governing body to petition the code board for a modification of the prescribed codes
 - criteria and process for the board to deny or grant an appeal from a decision by the board on a petition for modification

- criteria and parameters for expedited consideration or approval of an exemption from the code for activities or investments related to existing utility infrastructure primarily within existing transmission routes that mitigate wildfire risk.

The board shall identify opportunities to incentivize and support the adoption of more stringent codes. Except as otherwise provided, the board is not authorized to make or adopt land use policies. The board is required to hold hearings for statewide public input and is prohibited from approving the final codes until a minimum of three statewide public hearings are conducted, in various parts of the state.

The codes shall be adopted by the local governing body in accordance with local rules or within three months of the codes' adoption by the code board. The code board is authorized to review a local governing body's codes to determine compliance with their minimum codes.

In an effort to support jurisdictions without building codes, the Division of Fire Prevention and Control is permitted to assist local governing bodies with inspections and code enforcement; much like the division already does for hospitals and schools.

Position: No Position

Sponsor(s): Sen. Cutter & Sen. Exum and Rep. Froelich & Rep. Velasco

Final Status: Awaiting Governor's Signature

SB23-277, Public Safety Programs Extended Uses

In 2022 there were a package of public safety grant programs utilizing the state's share of American Rescue Plan Funds ([SB22-001](#) & [SB22-145](#)). These three grant programs are set to expire, but still have funds available for local governments and law enforcement agencies.

1. Crime Prevention through Safer Streets Grant Program – extends eligibility period of program;
2. Law Enforcement Workforce Recruitment, Retention & Tuition Grant Program – expands eligible uses of funds, including assistance for childcare, providing cardiovascular or other health screenings, and other recruitment, retention programs, and extends eligibility period of program;
3. State's Mission for Assistance in Recruitment and Training Policing Grant Program – expands eligible uses of funds, including diversity training, partnerships to build interest in law enforcement careers, educational campaigns, and extends eligibility period of programs.

Position: Support

Sponsor(s): Sen. Buckner & Sen. VanWinkle and Rep. Valdez & Rep. Soper

Final Status: Awaiting Governor's Signature



Land Use & Natural Resources

Chair: Commissioner Mike Freeman, Ouray County
Vice Chair: Commissioner Matt Scherr, Eagle County
CCI Staff: Reagan Shane

HB23-1085, Rural County and Municipality Energy Efficient Building Codes

[HB23-1085](#) would have extended the timeframes during which rural municipalities and counties would be required to concurrently adopt a specified model energy code when updating their existing building codes. It also would have created a provision allowing a rural municipality to adopt a less current model code if it has applied for and not been awarded a grant that significantly assists with energy code adoption and enforcement training. This would have matched the corresponding provision that already exists for rural counties.

Position: Support
Sponsors: Rep. Martinez and Sen. Simpson
Final Status: Postponed Indefinitely

HB23-1115, Repeal Prohibition Local Residential Rent Control

[HB23-1115](#) would have repealed the statutory provisions from [HB21-1117](#) that currently prohibit counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property/units, explicitly permitted a local government to adopt an ordinance or regulation to increase affordable housing, and set guidelines for the enactment of rent control.

Position: Monitor
Sponsors: Rep. Mabrey & Rep. Velasco, and Sen. Rodriguez
Final Status: Postponed Indefinitely

HB23-1194, Closed Landfills Remediation Local Governments Grant

This CCI-initiated bill creates a grant program to fund remediation of closed local-government-owned landfills, to be administered by the Colorado Department of Public Health and Environment (CDPHE) in accordance with rules promulgated by the Solid and Hazardous Waste Commission.

Funding priority will be given to applications that address the greatest actual risk to public health and environment, that are from local government landfills subject to existing compliance orders, and that demonstrate greater expenses occurred to date attempting to implement remediation. Before any decision to award or deny a grant is finalized, the grant committee must interview an official of the applicant eligible local government who is familiar with the closed landfill site in question.

Position: Support
Sponsors: Rep. McLachlan & Rep. Pugliese, and Sen. Simpson & Sen. Ginal

Final Status: Awaiting Governor's Signature

HB23-1232, Extend Housing Toolkit Time Frame

This bill is a cleanup bill for [HB21-1271](#), which established three programs¹ offering state assistance to local governments to promote the development of innovative affordable housing strategies. HB23-1232 extends the deadlines by which money transferred for these programs must be expended.

The bill also clarifies that HB22-1278, which directed the Division of Housing (DOH) to award a grant to local governments in the Denver metro area or a community partner in conjunction with a local government to build, acquire, and facilitate a regional navigation campus, is intended to allow for multiple grants to multiple grant recipients for multiple regional navigation campuses in the Denver metro area to respond to and prevent homelessness.

Position: Support

Sponsors: Rep. McCluskie & Rep. Jodeh, and Sen. Roberts

Final Status: Awaiting Governor's Signature

HB23-1233, Electric Vehicle Charging And Parking Requirements

HB23-1233 comes from the Governor's veto letter for [HB22-1218](#), which directed the Colorado Energy Office (CEO) to bring back the piece of the legislation putting requirements for electric vehicle (EV) charging into statute. The bill responds to that directive by instructing the State Electrical Board to require permit applicants to comply with the EV power transfer infrastructure requirements for new construction or for major renovations of multifamily buildings as outlined in the [Model Electric Ready and Solar Ready Code](#). "Major renovations" refers to renovations that change a minimum of 50% or more of the parking area.

In promulgating rules, the board will ensure all requirements are in compliance with those of the National Electrical Code. If the rules adopted in accordance with this instruction conflict with a provision of the building or zoning code, these rules prevail unless the conflicting provision provides for greater access to parking supplied by EV power transfer infrastructure. However, the rules do not supersede the *safety* requirements of other building codes, including those promulgated by local governments. The board must require compliance starting March 1, 2024.

The bill forbids private and local government prohibitions on EV charging. This includes a requirement that local governments count EV-served spaces toward minimum parking requirements.

The bill also exempts EV charging systems from the levy and collection of property tax and clarifies that local government adoption of certain codes by reference does not trigger the timing requirements of [HB22-1362](#).

Position: Monitor

Sponsors: Rep. Mauro & Rep. Valdez, and Sen. Priola & Sen. Winter

Final Status: Awaiting Governor's Signature

¹ These programs are the Local Government Affordable Housing Development Incentives Grant Program, the Local Government Planning Grant Program, and the Affordable Housing Local Officials Toolkit.

HB23-1234, Streamlined Solar Permitting And Inspection Grants

HB23-1234 creates the Streamlined Solar Permitting and Inspection Grant Program to grant money to the local authority with jurisdiction to approve building permits for the implementation of free automated permitting and inspection software for residential solar power systems. The Colorado Energy Office (CEO) will administer the program and grant awards for expenses expected to be incurred (not already incurred) in adopting automated permitting software. Maximum grant awards are limited based on population.

Position: Support

Sponsors: Rep. Brown & Rep. Soper and Sen. Roberts

Final Status: Awaiting Governor's Signature

HB23-1255, Regulating Local Housing Growth Restrictions

The bill prohibits “anti-growth laws,” defined as “a land use law that explicitly limits either the growth of the population in the governmental entity’s jurisdiction or the number of development permits or building applications for residential development or the residential component of any mixed-use development submitted to, reviewed by, approved by, or issued by a governmental entity for any calendar or fiscal year.”

The bill does not require a governmental entity to approve a permit application or preclude a governmental entity from regulating the use of land, developing land use plans, enacting affordability requirements, regulating the rental of any property or portion of a property that is available for lodging for less than 30 days, or denying a permit for any reason. The bill also creates an exception to allow local governments to continue to implement temporary moratoria to address various circumstances. These temporary laws may be effective for no more than 24 months in any five-year period.

Position: Oppose

Sponsors: Rep. Lindstedt & Rep. Dickson and Sen. Gonzales

Final Status: Awaiting Governor's Signature

HB23-1257, Mobile Home Park Water Quality

HB1257 requires the Water Quality Control Division in the Colorado Department of Public Health and Environment (CDPHE) to develop and implement a testing program of finished water (meaning water ready for consumption) at mobile home parks, to ensure compliance with water standards. If the testing identifies a water quality issue, the bill prescribes a remediation process for the owner.

By March 1, 2026, the Water Quality Control Division shall develop an action plan to address and improve water quality in mobile home parks.

A Mobile Home Park Water Quality Grant Program is also created to provide grants to park owners, nonprofit entities, and local governments to address water quality issues and wastewater problems in mobile home parks.

If a park owners fails to comply with a cease and desist order from the Division, create a remediation plan, implement a remediation plan or respond to the Division regarding a remediation plan, the Division may impose a financial penalty. Funds collected as a result of penalties will be transferred to the Mobile Home

Park Water Quality cash fund which can be utilized for the Mobile Home Park Water Quality Grant Program.

Position: Monitor

Sponsor(s): Rep. Velasco & Rep. Boesenecker and Sen. Cutter

Final Status: Awaiting Governor's Signature

Staff: Katie First

SB23-016, Greenhouse Gas Emission Reduction Measures

[SB23-016](#) is composed of 30 sections taking various measures to reduce greenhouse gas (GHG) emissions in the state. These sections include the following:

- Updates the powers and duties of the Colorado Energy Office, including requiring the office to make progress toward eliminating GHG pollution.
- Requires the Air Quality Control Commission to establish by rule a fee for GHG emissions based on reporting from GHG-emitting entities.
- Updates the statewide GHG emission reduction goals to add a 64% goal for 2035, a 75% goal for 2040, a 90% goal for 2045, and a 100% goal for 2050.
- Gives the Oil and Gas Conservation Commission authority over class VI injection wells following a study to determine the state has sufficient resources to ensure safe and effective regulation.
- Requires a local government to expedite, as practicable, its review of land use applications that propose projects to renovate, rebuild, or recondition existing transmission lines.

Position: Amend

Sponsors: Sen. Hansen, and Rep. McCormick & Rep. Sirota

Final Status: Signed by Governor

SB23-213, Land Use

SB 213 was an omnibus land use bill that attempted to increase the availability of affordable housing stock in urban areas by allowing the construction of accessory dwelling units (ADUs) and duplexes, triplexes and fourplexes as a use by right within incorporated areas – especially those directly adjacent to transit options - if adequate infrastructure was present. The bill also sought to increase the amount of workforce housing in certain rural resort communities. Finally, the bill altered DOLA's current role as a local government partner agency in favor of a more regulatory oversight role, policing various planning requirements in the legislation. The bill also directed DOLA to conduct a statewide housing needs assessment study and create an interagency working group to develop statewide growth objectives. Finally, the bill called for a statewide summit and series of regional meetings to develop local solutions to the affordable/attainable housing crisis.

Position: Oppose as Amended in the House

Sponsors: Sen. Moreno, and Rep. Jodeh & Rep. Woodrow

Final Status: Died on the Calendar

SB23-274, Water Quality Control Fee-Setting By Rule

SB 23-274 requires the Water Quality Control Commission (WQCC) to engage in stakeholder outreach and set its fees by rule on or before October 31, 2025. The rules must become effective on or before January 1, 2026. Before adopting fee-setting rules or adopting any subsequent adjustments to the fees, the Colorado Department of Public Health and Environment (CDPHE) must conduct stakeholder outreach with permit holders and county representatives to identify the fee revenue needed and discuss the options for setting a cap on fee increases.

The composition of the WQCC is modified such that:

- No more than five members of the commission may be affiliated with the same political party.
- At least one member of the commission must have agricultural experience.
- At least three of the members must fulfill the following criteria:
 - Must be from the community regulated by the division.
 - Must be employed by an entity that is subject to these fees.
 - As practicable, should be employed by an entity subject to a different type of fee than the other two members fulfilling this requirement.
- Members must have experience or training in one or more specified areas, including science, engineering, agriculture, environmental law, wastewater treatment, or county government.

The bill also requires the division to include additional information related to its revenue and expenditures and to the discharge permitting program in its annual report, the first of which must also include a summary of options for setting a cap on fee increases.

Position: Monitor

Sponsors: Sen. Winter and Rep. Dickson

Final Status: Awaiting Governor's Signature

SB23-285, Energy and Carbon Management Regulation in Colorado

The bill changes the name of the Colorado Oil and Gas Conservation Commission (COGCC) to the Energy and Carbon Management Commission (ECMC) and expands the commission's regulatory authority to include the authority to regulate a broader scope of energy and carbon management areas beyond oil and gas, including deep geothermal and underground natural gas storage. The bill establishes dual authority between the state (authority over use) and local governments (authority over siting) in these areas.

The bill also directs the commission to conduct and report on the following studies:

- A technical study of the state's geothermal resources;
- A study, in collaboration with the state engineer, that evaluates the state regulatory structure for geothermal resources and whether any changes to law or rules are necessary;
- A study concerning the regulation and permitting of hydrogen; and
- A study, in coordination with the Public Utilities Commission, examining the siting and regulation of interstate pipelines.

Position: Monitor

Sponsors: Sen. Priola & Sen. Hansen and Rep. McCormick

Final Status: Awaiting Governor's Signature



Public Lands

Chair: Commissioner Jonathan Houck, Gunnison County
Vice Chair: Commissioner Dwayne McFall, Fremont County
CCI Staff: Gini Pingenot

SB23-1066, Public Access Landlocked Publicly Owned Land

HB 1066 is frequently referred to as the corner crossing bill. A corner crossing is created when there are two public properties that are catty corner to each other, while the other two properties are privately owned (see below). There has been an issue in the west where hunters cross the corner to go from public land to public land. Under current law, this results in a trespassing offense. This trespass occurs because there is no way to cross the corner without entering the private property owner's airspace, as the point where all the properties meet is too small for a human to cross through.

Public Land	Private Land
Private Land	Public Land

HB 1066 would have convened a task force to study the right of the public to have access to and use public land, the rights of the landowners to their privately owned land and the relative cost and difficulty of compliance with any legislative recommendations made by the task force. The task force would have completed its work by November 15, 2023.

Position: Oppose
Sponsors: Rep. Bradley & Rep. Velasco, and Sen. Priola
Final Status: Postpone Indefinitely

SB23-059, State Parks and Wildlife Area Local Access Funding

This CCI initiated bill creates an optional fee for local governments to help them meet growing visitation demands at the state's 42 parks. Modeled after an existing statute, local governments, in coordination with the Colorado Parks and Wildlife Commission, may request an additional \$2 per daily vehicle pass. Funding will be remitted directly to the local government to help them support access routes serving state parks. These new, optional fees can begin starting January 1, 2025.

Additionally, the bill tasks the Colorado Department of Natural Resources to study existing local government budgets for infrastructure and their ability to meet the increased visitation demands seen at state parks, what resources exist now that can help with this challenge, and make policy and funding recommendations. This study will be complete by the fall of 2024.

Position: Support (CCI Initiated Bill)
Sponsors: Sen. Baisley & Sen. Roberts, and Rep. Catlin & Rep. McLachlan
Final Status: Awaiting the Governor's Signature



Taxation & Finance

Chair: Commissioner Richard Elsner, Park County
Vice Chair: Commissioner Bob Campbell, Teller County
CCI Staff: Gini Pingenot

HB23-1017, Electronic Sales and Use Tax Simplification System

The Sales and Use Tax Simplification System (SUTS) was launched in the spring of 2020 with two primary goals: 1.) ease sales tax filings and remittance for retailers and 2.) appeal to home rule municipalities to voluntarily join which in turn would ease the sales tax compliance expectations of retailers.

HB 1017 creates a ‘to do’ list of system upgrades that the Colorado Department of Revenue must onboard no later than January 1, 2025.

As amended, some of these upgrades include:

- Populating a local account number on all returns and summary reports, if the retailer filing the return has a number and provides it via the SUTS;
- A simplified user interface for filing returns as an alternative to the current spreadsheet method;
- Providing retailers with a bulk testing option to address files; and
- A tab for a retailers filing history and payments

The bill also prohibits CDOR from charging a fee for payments made through SUTS, creates a campaign to promote the use of SUTS among retailers and local taxing jurisdictions, and tasks CDOR with soliciting feedback from stakeholders about needed SUTS enhancements (an activity the department has already been doing for several years.).

Position: Support

Sponsors: Rep. Kipp & Rep. Bockenfeld, and Sen. Bridges & Sen. Van Winkle

Final Status: Awaiting Governor’s Signature

HB23-1054, Property Valuation

HB 1054 would have instituted a series of property valuation changes and would have limited the increase in local growth (and thus property tax revenues) in the 2023 property tax year (payable in 2024), created a one-time change impacting which assessment cycle will be used for the notice of valuations that will be sent to property owners this spring and revised the multi-family assessment rate for the 2024 property tax year (payable in 2025).

To see a visual of all of the proposed changes HB 1054 would have created and how those would have interacted with legislation that passed in the last two years, click [here](#).

Position: Monitor

Sponsors: Rep. Frizell, and Sen. B Pelton
Final Status: Postponed Indefinitely

HB23-1091, Continuation of Child Care Contribution Tax Credit

HB 1091 continues the availability of the child care contribution tax credit (CCTC) for 3 more years. The CCTC is a 50% tax credit up to \$100,000 for donations made to child care, early childhood grant programs, foster care, youth shelters, residential treatment centers, before and after school programming and grant programs to help families afford child care. This income tax credit is currently set to expire after the 2024 income tax year. HB 1091 will allow donors to claim it for the 2025, 2026 and 2027 income tax years. As amended, HB 1091 also charges the Department of Revenue to examine how to expand the credit to cover in-kind real property, equipment and services donations in the future, best ways to inform taxpayers and child care facilities about the credit, and ensuring the tax credit is equitably promoting child care in all communities.

Position: Support
Sponsors: Rep. Pugliese & Rep. Kipp, and Sen. Marchman & Sen. Rich
Final Status: Awaiting the Governor's Signature

HB23-1113, County Impact Notes by Legislative Council

HB 1113 would have created a new county impact note product to be produced by Colorado Legislative Council if requested by the Legislature. This product would have been in addition to the current practice Legislative Council employs now through their routine solicitation of local government feedback on bills that impact counties. Under HB 1113, up to 20 county impact notes could have been requested each year by the Legislature. This concept is similar to the demographic notes and the greenhouse gas notes that passed in 2019.

Position: Amend
Sponsors: Rep. Hamrick & Rep. Frizell
Final Status: Postponed Indefinitely

HB23-1184, Low Income Housing Property Tax Exemptions

HB 1184 makes several modifications to what has been known for years as the 'Habitat for Humanity' statute. Originally adopted in 2011, this provision of statute allows non-profit housing providers (a term narrowly defined to really only mean Habitat for Humanity) to acquire real property and maintain its property tax exempt status for 5 years. This has allowed Habitat for Humanity the ability to plan and execute developments without triggering a property tax liability. There is a 'claw back' provision in the event that the land is sold to an entity/person who doesn't meet the strict definition of a non-profit housing provider.

HB 1184 extends the amount of time Habitat can hold on to real property without any construction activities occurring from 5 to 10 years. Additionally, the bill changes the definition of low-income applicant from [80% AMI](#) to up to 120% AMI beginning in January 2024.

Additionally, HB 1184 creates a new property tax exemption for land trusts and non-profit homeownership developers. This new exemption would apply to the land and NOT the improvement/dwelling. In order to qualify for the exemption, the dwelling on the land must have a deed restriction or some other price control in place, is sold to a household who at the time of purchase is at or below 100% AMI and is intended by the purchaser to be used as a primary residence. Currently land trusts can secure a property tax exemption but they MUST work with a housing authority. Since housing authorities are governmental entities (and thus exempt from property taxation), land trusts have partnered with them in order to secure an exemption. This provision of HB 1184 will allow land trusts and non-profit homeownership developers to secure the exemption on their own.

Position: Support

Sponsors: Rep. Lindstedt & Rep. Frizell, and Sen. Roberts

Final Status: Awaiting the Governor's Signature

HB23-1240 Sales and Use Tax Exemption Wildfire Disaster Construction

HB 1240 creates a state sales and use tax refund for building materials purchased for rebuilding and repairing **residential** structures damaged by wildfire from 2020 to 2022. The amount of refund that can be claimed will be equal to 4% of the estimated construction and building materials cost for repairing or rebuilding a residential structure. A claim for refund must be filed on or before June 30, 2028. The exemption is for purchases made between January 1, 2020 to July 1, 2025 and allows homeowners that have already made purchases to claim a refund from the Department of Revenue.

Counties and cities may issue a Wildfire Rebuild Exemption Certificate, developed by the Department of Revenue, to a qualified homeowner. On or before September 30, 2023 and on or before September 30th of each calendar year through September 30, 2025, local governments shall provide the department with an electronic report of the number of wildfire rebuild exemption certificates that they issued.

Finally, the provision in the bill that authorized counties to adopt a similar exemption to apply to the COUNTY sales & use tax has been removed. CCI is aware of counties that, in the absence of the explicit and permanent exemption authority in HB 1240 on local sales and use tax, have **rebated** citizen sales and use tax expenditures to help provide relief for those who are trying to rebuild after a disaster.

CCI's membership questioned the limited scope of HB23-1240 and believes the exemption should apply proactively to all natural disasters and as far back retroactively as practicable.

Position: Oppose

Sponsors: Rep. Brown & Rep. Amabile, and Sen. Fenberg

Final Status: Signed by Governor

HB23-1272, Tax Policy That Advances Decarbonization

HB 1272 creates a series of new and expanded refundable income tax credits to incentivize investments that will reduce Colorado's carbon footprint. New and expanded income tax credits under the bill include incentives for electric vehicles, innovative trucks (think school buses and delivery trucks), industrial facilities to study their greenhouse gas emissions, geothermal energy projects, heat pump technology, electric bicycles, and sustainable aviation fuel production. The degree of most of the credits hinge on whether or not the state is in a TABOR surplus situation.

There are two policies in HB 1272 that will be of direct interest to counties. They are:

1.) **The reduction of the severance tax credit allowed for oil and gas production.** Under current law, producers can claim a credit of 87.5% of their severance tax liability against their local property tax bill. HB 1272 reduces this credit to 75% for tax years 2024 and 2025. In tax year 2026, the credit will be reduced to 65.625%. In 2027, the credit will be restored to current law.

The increased revenue that is generated from this tax policy change will go to the state's general fund and to four cash funds that will help pay for the administrative costs the Colorado Energy Office will realize in implementing some of the new and expanded income tax credits listed earlier (namely the incentives targeted to innovative trucks (think school buses and delivery trucks), industrial facilities to study their greenhouse gas emissions, geothermal energy projects, and electric bicycles.)

2.) **The reduction of specific ownership tax (SOT) paid on Class A and Class B fleet vehicles.** HB 1271 reduces the actual purchase price of these vehicles by 50% and applies the SOT to that reduced amount from January 1, 2024 – January 1, 2028. And, from January 1, 2028 – January 1, 2033 the purchase price of these vehicles is reduced by 60%. This policy will reduce property tax revenue that goes to counties and all other local governments.

Position: No Position

Sponsors: Rep. Weissman & Rep. Joseph, and Sen. Fenberg

Final Status: Awaiting the Governor's Signature

HB23-1285 Store Use of Carryout Bags and Sustainable Products

HB 1285 allows local governments to accept carryout bag fee revenue from stores in 2023 (rather than waiting until April 2024). The bill also specifies how stores may use any retained revenue they would otherwise have had to remit if a local government does not have a process to accept their portion of the fees.

HB 1285 is being initiated by 7/11 stores. In some cases, local governments have not established a process to receive their portion of the plastic bag fee. When this occurs, businesses must retain the revenue on their books which looks like income from a tax liability standpoint. HB 1285 helps to address this predicament.

Position: Support

Sponsors: Rep. Valdez, and Sen. Priola & Sen. Cutter

Final Status: Awaiting the Governor's Signature

HB23-1311, Identical Temporary TABOR Refund

This late breaking bill (introduced on Saturday, May 6th for a session that ended on May 8th) modifies the manner in which the state will refund a projected \$2.37 billion to taxpayers. It retains (and makes whole) the refund for senior and veterans with a disability homestead exemption. But it modifies the 'six-tier' refund mechanism (based on income bracket) to provide a flat refund to taxpayers regardless of their adjusted gross income. In essence, this means that single filers will receive \$661 and joint filers will receive \$1,322 (regardless of their income). This change is contingent on the passage of Proposition HH passes.

HB 1311 makes no change to the amount available for refund. It simply modifies how refunds are distributed IF proposition HH passes and will be seen via a deduction in 2023 income taxes due.

Position: No position

Sponsors: Rep. DeGruy Kennedy & Rep. Weissman, and Sen. Hansen & Sen. Hinrichsen

Final Status: Awaiting the Governor's Signature

SB23-035, Middle-Income Housing Authority Act

The Middle Income Housing Authority (MIHA) is an independent, special-purpose authority for promoting affordable rental housing projects for middle-income workforce housing. It was created by [SB22-232](#), which gave it the power to make and enter into agreements with public or private entities to facilitate public-private partnerships.

SB23-035 clarifies this power to enter into public-private partnerships by specifying that the *affordable rental housing component* of a public-private partnership is exempt from state and local taxation, including local government property tax and sales and use tax. *Affordable rental housing components*, a new term introduced in SB23-035, would include property and activities that are a part of an affordable rental housing project. This could include a commercial element to a project (which must receive approval by the MIHA and be incidental to the housing component of the project).

It is important to note that local governments must be notified and can object to a proposed project for any reason CRS 29-4-1107 (4). Cities and counties have the ultimate say in whether or not a project can proceed. Some of the reasons why a local government might object to a project include insufficient water and waste water infrastructure, impacts to wildlife, potential wildfire safety concerns (ie located in the Wildland Urban Interface), traffic concerns, etc. MIHA may agree to make payments to a local government in lieu of property or sales and use taxes but is not required to do so. Property that is not part of the affordable rental housing component in a public-private partnership remains subject to all taxation.

The bill also clarifies that a public-private partnership may provide for the transfer of the interest in an affordable rental housing project to an entity other than MIHA; that MIHA may issue bonds to finance the affordable rental housing component in a public-private partnership; and that bonds issued by MIHA may be payable from the revenue and assets of the affordable rental housing component of a public-private partnership or solely from the revenue or assets of MIHA as current law requires.

Additionally, the MIHA board of directors is expanded from 14 to 16 by the addition of two nonvoting members. The senate majority leader and the house majority leader will each appoint a member of the general assembly from their respective chambers, unless the senate majority leader and house majority leader are from the same political party, in which case the house minority leader will appoint the member from the house.

Position: Support

Sponsors: Sen. Bridges & Sen. Moreno, and Rep. Herod

Final Status: Awaiting the Governor's Signature

SB23-055, Car Sharing Program Sales Use and Ownership Tax

SB 55 would have given the owner of a peer-to-peer vehicle (think: [Turo](#), [Get Around](#), and [Drift](#)) the option to **either** 1.) pay sales or use tax at the time of purchase (current status) or 2.) collect and remit the sales/rental taxes on the rental transaction of the vehicle (and avoid the sales tax on the owner's initial purchase).

The Colorado Department of Revenue (CDOR) issued a private letter ruling on this matter two years ago. You can find that private letter ruling [here](#).

In the private letter ruling, CDOR provides a detailed distinction between the vehicle owner and the company that facilitates the peer to peer rentals. "Company, not the owner, will be regarded as the lessor with respect to vehicles leased through its platform. Company is the party with whom a driver will enter into a contract for the possession and use of the vehicle" (p.3). From here, CDOR concludes that the Company is the lessor of vehicles rented through its platform and the Company must collect and remit all taxes on the rental transaction (short term lease) of a vehicle.

SB 55 was postponed indefinitely in the Senate Transportation and Energy Committee. Despite this outcome, the CDOR still requires and enforces the collection of sales and rental taxes on each peer-to-peer rental transaction.

Position: Amend

Sponsors: Sen. Gardner

Final Status: Postponed Indefinitely

SB23-057, County Treasurer No Longer Ex Officio District Treasurer

Under current law which passed in 1905, irrigation and drainage districts pay a fee ranging between \$25 to \$100 per year to a county treasurer for financial services. The bill removes this provision and requires any drainage district utilizing the services of a county treasurer to pay .0025% of the total money received by the county treasurer for assessments levied by the drainage district beginning January 1, 2026.

Position: Support

Sponsors: Sen. Rich, and Rep. Taggart

Final Status: Signed by Governor

SB23-108 Allowing Temporary Reductions in Property Tax

SB 108 allows local governments to provide temporary property tax relief through temporary property tax credits or mill levy reductions. The bill also makes it clear that credits can be eliminated and the original mill levy can be restored.

Existing statute is clear that temporary mill levy credits can be used to refund TABOR surpluses. And, while there are some local governments that have also issued mill levy credits for property tax relief purposes, other local governments seek clarity and assurance that this is an allowable move under TABOR. SB 108 provides this clarity.

SB 108 was amended to exclude a school district from lowering its total program mill levy below the minimum amount set in state statute and to make it clear that a temporary reduction in property taxes due for the purpose of property tax relief is subject to annual renewal.

Position: Support

Sponsors: Sen. Baisley, and Rep. Pugliese & Rep. Frizell

Final Status: Awaiting the Governor's Signature

SB23-175, Financing of Downtown Development Authority Projects

SB 175 modifies some functions of Downtown Development Authorities (DDA). DDAs currently exist in 12 counties: Arapahoe, Boulder, Douglas, Eagle, El Paso, Garfield, Gunnison, Jefferson, Larimer, Mesa, Teller and Weld. The original inception of a DDA requires a vote of qualified electors. DDAs can exist for 30 years with an option to extend their existence for another 20 years.

Under SB 175, the city council/mayor may approve, by ordinance, 20-year extensions beyond the current 50 year life span of a DDA. The ability for a DDA to exist in perpetuity remains a unilateral decision made by the municipality. For those who do exist beyond 50 years, a county and school representative must be added to the DDA's board.

Position: Amend

Sponsors: Sen. Jaquez Lewis & Sen. Rich, and Rep. Boesenecker & Rep. Taggart

Final Status: Awaiting the Governor's Signature

SB23-273, Agricultural Land in Urban Renewal Areas

SB23-273 closes a loophole that is being used to include agricultural land in a completely NEW urban renewal plan.

In 2010, [HB 10-1107](#) was passed to prevent agricultural land from being mischaracterized as blight. The legislative history of this bipartisan bill made it very clear that agricultural land was NOT to be included in urban renewal area absent very limited exceptions. Those exceptions included:

- 1.) brownfield sites;
- 2.) significant blight and urban-level development within and surrounding the agricultural land;
- 3.) agricultural land in an enclave of a municipality surrounded by urban-level development; or
- 4.) approval of all taxing authorities.

At the time, the sponsors added a 5th exception to "grandfather in" any existing urban renewal plans containing agricultural land that were in place at the time of the bill's passing in 2010. The bill intended to protect current plans, but stop all new or renewing urban renewal plans from including agricultural land without meeting one of the other 4 limited exceptions.

SB 273 clarifies that the 'grandfather exemption' cannot be used as a loophole to include agricultural land protected in a pre-2010 plan in a completely new urban renewal plan. To be included in any new or future plans, agricultural land MUST meet one of the other 4 limited exceptions.

Position: Support

Sponsors: Sen. Marchman, and Rep. Boesenecker

Final Status: Awaiting the Governor's Signature

SB23-303, Reduce Property Taxes And Voter-approved Revenue Change

SB 303 makes a [series of changes](#) to property tax assessment rates and classes over a 10-year period. The 'backfill' provision of SB 303 – which requires the state to reimburse local governments for revenue reductions in 2023 through 2033 due to policy changes embedded in the bill - got increasingly worse for some non-school local governments. By the time SB 303 passed, the total amount of available backfill to some non-school local governments was limited to 20% of the available funds in the HH fund. The remaining 80% of HH funds will go to schools. Additionally, fire, EMS and Health Districts were positioned at the 'front of the line' for backfill and allowed to receive backfill dollars to cover 50% of their losses ABOVE the 20% loss trigger.

Heading into property tax year 2024, counties should expect reductions in the growth of their primary revenue stream and dramatically reduce their expectations around backfill from the state.

CCI was seeking amendments to SB 303 that would: 1.) allow the portability of the senior homestead exemption to happen regardless of the passage of Proposition HH; 2.) allow the 'participatory taxation' concept in the bill to happen regardless of the passage of Proposition HH; 3.) modify the standard for determining whether a local government is eligible for backfill to be something other than AV growth from 2022; 4.) remove the provision that would FOREVER eliminate a local government's eligibility for backfill as soon as the trigger was hit (this was partially addressed via amendments for local governments in counties under 300,000 in population); and 5.) reduce the number of years SB 303 would be effective (something less than 10).

Position: Amend

Sponsors: Sen. Fenberg & Sen. Hansen, and Rep. Weismann & Rep. DeGruy-Kennedy

Final Status: Awaiting the Governor's Signature



Tourism, Resorts & Economic Development

Chair: Commissioner Richard Cimino, Grand County

Vice Chair: Commissioner Jeanne McQueeney, Eagle County

CCI Staff: Reagan Shane

HB23-1190, Affordable Housing Right of First Refusal

[HB23-1190](#) creates a right of first refusal for local governments to match an acceptable offer to purchase qualifying multifamily developments for the purpose of providing long-term affordable housing. The local government may assign its right of first refusal to a housing authority within its jurisdiction, a regional housing authority serving the jurisdiction, or CHFA.

The bill requires the seller to give notice to local governments when they intend to sell a qualifying property. The local government must give notice to the seller within 7 calendar days and to residents of the property if they use its right of first refusal. The local government must also make an offer within 30 calendar days and close within 60 calendar days, “to the extent practicable,” and not more than ninety calendar days. The bill exempts various sales or transfers of property from the right of first refusal, including any qualifying properties for which the first Certificate of Occupancy was issued within 30 years prior to the triggering event.

The right of first refusal will be repealed after five years on August 1, 2028.

Position: Amend

Sponsors: Rep. Boesenecker & Rep. Sirota and Sen. Winter

Final Status: Awaiting Governor’s Signature

HB23-1304, Proposition 123 Affordable Housing Programs

In November 2022, voters approved Proposition 123, which created new affordable housing programs funded with income tax revenue that the state is permitted to retain and spend as a voter-approved revenue change. The bill modifies these affordable housing programs by allowing tribal governments to participate in the programs, specifying that all units from Prop 123-funded projects count toward the 3% growth obligation, and allowing local governments and tribal governments to enter into a written agreement to divvy up the units that result from collaborative agreements.

The bill also establishes a process for rural resort communities to petition the Division of Housing to use different percentages of AMI than those percentages specified for eligibility for certain affordable housing programs funded through the financing fund. The petition must be based on publicly available data sources that demonstrates the need for different AMIs via a housing needs assessment completed within the last three years and must include an explanation of why other funding sources do not meet this need.

OEDIT and the Division of Housing are required to provide three annual reports to legislative committees about the affordable housing programs.

Position: Support

Sponsors: Rep. McCluskie & Rep. Frizell and Sen. Roberts & Sen. Exum

Final Status: Awaiting Governor's Signature

SB23-006, Creation of the Rural Opportunity Office

The [Rural Opportunity Office](#) in the Office of Economic Development and International Trade (OEDIT) was created in 2019 to support Colorado's rural partners and communities by connecting them to relevant programs within OEDIT and across other state, federal, nonprofit, and private partner agencies and organizations. The bill codifies the Rural Opportunity Office.

Position: Support

Sponsors: Sen. Roberts & Sen. Rich and Rep. McLachlan & Rep. Catlin

Final Status: Awaiting Governor's Signature



Transportation & Telecommunications

Chair: Commissioner Jim Candelaria, Montezuma County

Vice Chair: Commissioner Chris Richardson, Elbert County

CCI Staff: Eric Bergman

HB23-1051, Support for Rural Telecommunications Providers

HB 1051 extends for one year a direct distribution of High Cost Fund dollars to a number of rural telecommunications providers around the state. The bill aligns the sunset date for this direct distribution with the larger programmatic sunset review of the High Cost Fund Support Mechanism and Broadband Deployment Board that will occur in 2024.

Position: Support

Sponsors: Rep. Lukens & Rep. Holtorf, and Sen. Roberts & Sen. Pelton R.

Final Status: Signed by Governor

HB23-1101, Increasing Flexibility for the Ozone Season Transit Grant Program

HB 1101 provide flexibility for transit agencies to designate different “ozone seasons” for purposes of offering free transit using grant funds from the Ozone Season Transit Grant Program (something that CCI actually proposed last year when the grant program was created). The bill also adds a representative from a regional transit agency to the membership of each Transportation Planning Region (TPR). The bill also directs CDOT to conduct a study of TPR boundaries.

Position: Monitor

Sponsors: Rep. Vigil & Rep. Bacon, and Sen. Winter F. & Sen. Hinrichsen

Final Status: Signed by Governor

SB23-183, Local Government Provision Of Communications Services (Repeal of SB05-152)

SB 183 removes from the statute the requirement that counties and municipalities must receive voter approval before they may expend public funds on broadband infrastructure for middle mile or last mile connectivity. This requirement was put in statute back in 2005 by SB05-152. Since the bill’s enactment, more than 40 counties have successfully passed ballot measures to remove the statutory prohibition on local broadband activity. SB 183 preserves local government authority to help deliver broadband services and should streamline broadband connectivity around the state at a time when additional federal funds are being made available.

Position: Support

Sponsors: Sen. Priola & Sen. Baisley, and Rep. Titone & Rep. Weinberg

Final Status: Signed by Governor

SB23-268, Additional Transparency for CDOT 10-Year Transportation Plan

SB 268 establishes additional transparency for projects in the CDOT 10-Year Transportation Plan. The bill requires CDOT to regularly update Transportation Commission on time frames for completion and total estimated cost for each project in the plan. The bill also requires CDOT to designate a point of contact at CDOT for state and local officials who can answer questions about the status of transportation projects of importance to their region.

Position: Monitor

Sponsors: Sen. Mullica & Sen. Kirkmeyer, and Rep. Bird & Rep. Bockenfeld

Final Status: Awaiting Governor's Signature