

## STATE CAPITOL ABUZZ

### Legislative interim committees commence work on key issues

*By Meghan MacKillop, legislative and policy advocate*

The 2024 legislative session doesn't start until January of next year, but work leading up to the session has already begun in the form of interim committees. This summer, 15 interim committees will meet to discuss issues such as wildfire, transportation, water and agriculture, opioid and substance abuse disorders, jail standards, child welfare, air quality, and sales and use tax.

Each year, interim committees meet during the legislative interim to study a specific issue. Some committees are standing committees, created through statute. However, most interim committees are those that are requested by a legislator with an interim committee request letter. These committees will only meet



during the 2023 interim and will dissolve once their work is done.

Committees that are meeting for this interim only include:

COMMITTEE	ISSUES STUDIED	# OF MEETINGS	# OF MEMBERS	BILLS ALLOTTED
Colorado's Child Welfare System Interim Study Committee	The committee will take a holistic look at Colorado's child welfare system to address the major factors facing the system to serve the state's children and families in the best possible way.	Up to 5 meetings during the 2023 interim	4 Senators 7 Representatives	5
Legislative Interim Committee on Ozone Air Quality	Approved by HB23-1249, the purpose of the committee is to study ozone air quality in the state with a focus on investigating the factors that contribute to ozone pollution in the state; analyzing strategies to address and improve ground-level ozone issues; and developing policy, technical, and financial solutions to improve ozone air quality in the state.	Up to 6 meetings during the 2023 interim	6 Senators 6 Representatives	None

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# EMPOWERED CITIES AND TOWNS, UNITED FOR A STRONG COLORADO



COLORADO  
MUNICIPAL  
LEAGUE **NEWSLETTER**

CML Newsletter (ISSN 7439903) is published biweekly by the Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207, for Colorado's municipal officials. (USPS 075-590) Periodical postage paid in Denver, Colorado.

**Editor: Denise White**  
**Designer: Alex Miller**  
**Circulation/mailling lists: Mark Vanderbrook**

POSTMASTER: Send address change form 3579 to Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207; (p) 303-831-6411 / 866-578-0936; (f) 303-860-8175.

Subscription to CML Newsletter is offered as a portion of member dues.

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## TRAINING OPPORTUNITIES

### STATE REVOLVING FUND WATER WORKSHOP

The Colorado State Revolving Fund Program is hosting a full-day, in-person workshop to cover State Revolving Fund basics, funding options for drinking water and wastewater infrastructure, planning, asset management, available technical assistance, and current and upcoming regulations. The Northwest Regional Workshop will take place **Aug. 9** in Rifle. Local government decision-makers, finance staff, and operators, along with private nonprofits that operate drinking water systems are encouraged to attend. More information is available from Colorado's Department of Local Affairs, [tinyurl.com/2p9uh8yu](http://tinyurl.com/2p9uh8yu).

### OPIOID ABATEMENT CONFERENCE IN MONTROSE

Colorado Attorney General Phil Weiser and the Colorado Opioid Abatement Council are excited to invite leaders and stakeholders from across the state to the second Opioid Abatement Conference. It will take place in Montrose, **Aug. 16-18**. This interactive, three-day conference will include collaborative break-out rooms and networking sessions, and presentations on best practices for addressing the opioid crisis and how to leverage state and national resources. There is no cost to attend. More information is available at [bit.ly/42MAuCm](http://bit.ly/42MAuCm).

## CML UPDATE

### CML IS HIRING!

Join our team and be a part of something greater! The league is seeking a **legislative and policy advocate**, a **municipal research analyst**, and a **marketing and communications specialist**.

We're looking for collaborative, creative thinkers with high moral standards and a genuine passion to make an impact serving Colorado's local governments. More information is available on CML's job board, [tinyurl.com/8nk6xta6](http://tinyurl.com/8nk6xta6).

## CELEBRATE WITH CML

CML wants to hear about your community's successes. Tell us about a new grant you've won, water tank that's finally finished, or anything else you're excited about! Email CML Publication & Design Specialist Alex Miller, [amiller@cml.org](mailto:amiller@cml.org), or complete the form at [bit.ly/3YF8XRM](http://bit.ly/3YF8XRM).



## UPCOMING WEBINARS

### DIVERSION PROJECTS

Tuesday, Aug. 1, 12-1 p.m.

Join CDPHE staff and contractors to learn more about how communities, businesses, non-profits, and others can access Colorado's Front Range Waste Diversion funding and resources. The FRWD is a state funded enterprise grant program that provides entities in the Front Range with resources and technical assistance to expand their recycling, composting, reuse, and other efforts. By increasing waste diversion, Colorado prevents valuable commodities from being landfilled, supports local living wage jobs, and creates vibrant, livable, communities. During this session, the FRWD team will share information on how to easily access technical support as

well as apply for between 10 to 15 million dollars of annual grant funding. Attendees will also learn about immediate actions they can take to improve materials circularity in their communities.

Register at [bit.ly/43aklpW](https://bit.ly/43aklpW).

### UNDERSTANDING YOUR ASSESSMENT: TAX INCREMENT FINANCING (TIF) PRACTICES AND PROTOCOLS

Tuesday, Aug. 15, 12-1 p.m.

Every August and December (depending on the county you operate in), county assessors mail out preliminary and final certifications of value, and urban renewal authorities breathe a collective sigh of bewilderment. Presented in three sentences are estimates of assessed

value, base value, and increment value. But how were they calculated? Did they include the right properties in their calculations? Did they capture all new investment in the area, and how much increment should be attributed to individual projects within a shared boundary? Our partners at Downtown Colorado, Inc. are pleased to share this session, which is intended to assist anyone engaged in managing urban renewal resources with answering these questions, as well as setting up processes and protocols to limit uncertainty.

Register at [bit.ly/44TjMCX](https://bit.ly/44TjMCX).

**KEEP UP** with CML's constantly updated training opportunities and resources! Explore them all at [cml.org/home/education-training](https://cml.org/home/education-training).

## Obtaining property tax data for 2024 budgeting

SB 23-303 requires counties to report certain property tax data for each taxing jurisdiction within the county to the State Property Tax Administrator by September 15, 2023. The reported data will include the estimated total property tax revenue reduction for the 2023 property tax year and the estimated increase in assessed value from the 2022 property tax year to the 2023 property tax year. Both the estimated revenue

reduction and increase in assessed value must be calculated (1) based on the temporary reductions in valuation from SB 22-238, and (2) based on the cumulative temporary reductions in valuation from SB 22-238 and SB 23-303, if Proposition HH passes in November 2023. The Division of Property Taxation has created a spreadsheet for counties to use in calculating this information though counties are not required to use

the spreadsheet. CML recommends contacting your respective county assessor to obtain this data if helpful in working on your 2024 municipal budget. If you would like a blank copy of the spreadsheet created by the Division of Property Taxation, please email [rbender@cml.org](mailto:rbender@cml.org).

## Stay up to date on changing web accessibility guidelines

HB21-1110 mandated all state and local governments comply with specific accessibility guidelines established by the office of information technology by 2024. In accordance with SB23-244, the Governor's Office of Information Technology plans to launch the accessibility rulemaking process and

a stakeholder engagement plan in late summer/early fall. While specific dates for rulemaking have not been established, the office has provided an accessibility rulemaking notification sign up link in to keep interested parties up to date on the process, [tinyurl.com/yc3u3cv2](https://tinyurl.com/yc3u3cv2). The office has also provided information on its

website regarding website accessibility including a guide to accessible services, [tinyurl.com/2mmsvdzr](https://tinyurl.com/2mmsvdzr). Signing up for the state of Colorado accessibility newsletter, [tinyurl.com/ks8zbyk7](https://tinyurl.com/ks8zbyk7), will help keep you informed about the rulemaking process.

### METRO AREA BID, DDA, URA MOBILE TOUR

PRESENTED BY COLORADO MUNICIPAL LEAGUE & DOWNTOWN COLORADO, INC

AUGUST 31, 2023 8:00-4:30PM

ENGLEWOOD |  
PARKER

Register at [bit.ly/3OrVVEi](https://bit.ly/3OrVVEi)



# MUNICIPAL GRANTS & FUNDING OPPORTUNITIES



## Colorado Energy Office launches energy code grant program

The Colorado Energy Office launched the Energy Code Adoption & Enforcement Grant Program, which will support local governments in updating their building energy codes. This grant is one of the first statewide grant programs in the country to provide money to local governments to help adopt stronger building energy codes. The Energy Office will award \$2 million to aid local governments.

Local governments are required to adopt and enforce a code that meets or exceeds the 2021 International Energy Conservation Code and the state’s model electric ready and solar ready code when

updating any other building code after July 1, and the state’s low energy and carbon code when updating any building code after July 1, 2026.

Local governments that apply individually may receive up to \$125,000 in funding, while local government partnerships may receive up to \$250,000). The Energy Office will prioritize funding for applicants offering benefits across multiple communities through partnerships.

Match requirements for this grant are determined by the population size in the applicant’s jurisdiction. A lower match

requirement for smaller jurisdictions encourages Colorado’s rural communities to apply for this program and ensures they have adequate support to update their building energy codes.

The first round of applications for this grant program is now open through Sept. 1. Eligible applicants can find more information about the grant program and how to apply on the Energy Office website, [tinyurl.com/37zr7zmw](https://tinyurl.com/37zr7zmw). Applicants are urged to attend a webinar July 20, [tinyurl.com/3ctfsrzu](https://tinyurl.com/3ctfsrzu).

## Summer 2023 broadband grant cycle timeline now available

Colorado’s Broadband Deployment Board has released the timeline for the Summer 2023 grant cycle. Updated policies and guidance documents are available online, [tinyurl.com/3zj49kzb](https://tinyurl.com/3zj49kzb).

The board will host the Sept. 12 and 13 “Public Comment Presentation/ Initial Application” meetings in a hybrid format. Attendees can join in person at the Colorado Department of Law, 1300 Broadway, 10th Floor, Denver 80203, or remotely. More information is available on the Broadband Deployment Board website, [tinyurl.com/3dkhac37](https://tinyurl.com/3dkhac37).

### Monday, May 15

Summer 2023 Grant Cycle Webinar Recording

### Saturday, July 15 (11:59 p.m. MST)

Summer 2023 Application Deadline

### Sunday, July 16

Applications are posted; Public Comment Period Begins

### Wednesday, Aug. 16 at 9:30 a.m.

BDB Meeting - Refresher Meeting

### Wednesday, Aug. 30 at COB

Public Comment Period Closes

### Thursday, Aug. 31 at COB

Public Comments posted to the BDB website

### Thursday, Sept. 7

Deadline for one-page replies addressing the Responses/RoFR.

### Friday, Sept. 8 at COB

List of Presenters & Presentations should be submitted

### Tuesday, Sept. 12 at 9:30 a.m.

BDB Meeting - Public Comment Presentations No. 1, Initial Application

### Wednesday, Sept. 13 at 9:30 a.m.

Initial Written Decisions posted to website

### Friday, Sept. 15 at COB

Appeal Submission Deadline. Any other Board decision, including RoFR decision, deadline.

### Tuesday, Oct. 3 at 9 a.m.

BDB Meeting - RoFR and Appeals Hearing

### Wednesday, Oct. 4 at COB

Final Decisions posted to website

### Wednesday, Nov. 1 at COB

RoFR Written Proposal Form submission deadline

### Tuesday, Nov. 7 at 9:30 a.m.

BDB Meeting - RoFR Hearing (If applicable)



# MUNICIPAL GRANTS & FUNDING OPPORTUNITIES



## Apply now for billions in transportation grants

*By the National League of Cities*

For local leaders looking to increase transportation connectivity between residents and opportunity, look no further than the U.S. Department of Transportation.

Right now, USDOT is taking applications for the Reconnecting Communities and Neighborhoods combined program with up to \$3.16 billion available under the Reconnecting Communities Pilot and the Neighborhood Access and Equity Grants. Additionally, USDOT is taking applications for up to \$5.575 billion in funding for projects of regional or national significance under the Multimodal Project Discretionary Grant program. USDOT will use these two application pools to deliver more than \$8 billion to cities who apply in this funding cycle.

These two opportunities will be one of the largest transportation grant amounts available to municipalities at one time.

### RECONNECTING COMMUNITIES GRANTS

Any municipality with a divided community or neighborhood because of physical barriers should consider the Reconnecting Communities and Neighborhoods opportunity to bridge their divide. Reconnecting Communities and Neighborhoods grants will be divided into three separate categories: Capital Construction Grants, Community Planning Grants and Regional Partnerships.

Municipalities with shovel-ready projects should consider applying for construction grants, while those looking to address local transportation challenges in the future should consider planning grants. Often, physical barriers span multiple jurisdictions. In these instances, municipalities may consider partnering with regional partners to address common transportation challenges for local residents.

### MULTIMODAL GRANTS

The Multimodal Project Discretionary Grant Opportunity consists of three grant programs: The National Infrastructure Project Assistance grants program, the Nationally Significant Multimodal Freight and Highways Projects grants program, and the Rural Surface Transportation Grant program.

These competitive funding opportunities are awarded on a competitive basis for surface transportation infrastructure projects — think local capital projects involving highway and bridge, intercity passenger rail, railway-highway grade crossing or separation, wildlife crossing, public transportation, marine highway and freight projects. Surface transportation projects that also have a significant national or regional impact or that may improve and expand surface transportation infrastructure in rural areas are also eligible.





# CML LEGAL CORNER



## Increased AVIS availability for municipalities

By Rachel Bender, CML associate counsel

Automated Vehicle Identification Systems, referred to as AVIS, have been available for limited municipal use for several decades. These systems can be used to identify certain types of traffic violations, including speeding, and typically take the form of a red-light camera or speed van. Although several municipalities have used AVIS for some time, there were significant limitations on where these systems could be utilized as well as restrictions about how they could be used even in those specified areas. With the passage of SB 23-200, most of which went into effect on June 5, 2023, AVIS is now more widely available for municipal use and some of the other barriers to use have been remedied.

### IMPLEMENTING AVIS

Prior to the passage of SB 23-200, AVIS could only be used by municipalities to detect speeding violations in a school zone; residential neighborhood; within a maintenance, construction, or repair zone; or along a street that bordered a municipal park. Municipalities can still use AVIS in these specified areas, but now can also designate an automated vehicle identification corridor by ordinance or resolution passed by the governing body. An officer or employee no longer must be present for speeding infractions captured by AVIS.

A leading purpose of these corridors is to help remedy proven traffic safety issues occurring in that area. As such, before operating an AVIS in a designated corridor, the municipality must identify incidents of crashes, speeding, reckless driving, or community complaints in the past five years on a street designated as a corridor. Prior to operating an AVIS, the municipal-

ity must also post a permanent sign in a visible location no fewer than 300 feet before the beginning of the corridor and each camera in the corridor, and must coordinate with the Department of Transportation and Colorado State Patrol. Notably, none of these requirements apply if the AVIS is designed to detect disobedience to a traffic control system. If a municipality elects to implement an AVIS corridor, it must publish a report on its website disclosing the number of citations and revenue generated by the corridor.

For any new AVIS implemented after July 1, 2023, regardless of whether located in an AVIS corridor or other permissible area, municipalities must publicly announce the implementation of the AVIS on its website for at least 30 days prior to use. For the first 30 days after installing or operating a new AVIS, municipalities may only issue warnings. Municipalities may elect to extend the public information campaign or warning period for any AVIS systems beyond the required 30-day period. These requirements do not apply to the replacement of an AVIS.

### ENFORCEMENT OF VIOLATIONS

Although time frames for the issuance of notices of violation (NOVs) have changed, the enforcement process remains much the same. A NOV must be issued within 30 days of the alleged violation if the vehicle is registered in state (60 days if out of state). If there is no request for a hearing and the owner fails to pay the fine, a civil penalty assessment may be issued not more than 30 days after the deadline on the NOV (which must be at least 45 days after issuing the NOV). C.R.S. §§ 42-4-110.5(2)(a)(III) and (V), now lay out the information that must be included in a NOV or penalty assessment.

In practice, municipalities using AVIS primarily mail NOVs, which results in substantial voluntary compliance. Some municipalities elect to personally serve NOVs, at least in certain cases, because then they have legal recourse on enforcement; however, personal service can be costly and time-consuming. While this process was inferred in the prior AVIS statute, it is now clearly laid out, including that a collection action cannot be initiated unless the owner is personally served with the NOV or final order of liability.

### USE OF DATA

SB 23-200 also established clear requirements regarding the maintenance and use of data from AVIS. First, an AVIS can only retain data when there is a violation of local or state law. Any photos or video collected by an AVIS must be considered confidential and are exempt from disclosure under the Colorado Open Records Act. Municipalities cannot use, disclose, sell, or permit access to photographs, videos, or personal identifiable data collected by an AVIS except to the extent needed to operate the enforcement program, for other law enforcement purposes, for transferring data to a new vendor or operating system, or in response to a court order. Finally, municipalities must destroy any photographs and video of a violation collected by an AVIS within three years after the final disposition of the violation, unless maintained in a different system for other legal purposes.

*This column is not intended and should not be taken as legal advice. Municipal officials are always encouraged to consult with their own attorneys.*

**FROM PAGE 1**

COMMITTEE	ISSUES STUDIED	# OF MEETINGS	# OF MEMBERS	BILLS ALLOTTED
Opioid and Other Substance Use Disorders Study Committee	The committee shall study data on the scope of the substance use disorder problem in Colorado; prevention, intervention, harm reduction, treatment, and recovery resources; the availability of medication-assisted treatment; measures that other states and countries use to address substance use disorders; legislative options to address gaps and hurdles to accessing prevention, intervention, harm reduction, treatment, and recovery resources; and law enforcement and criminal justice measures useful in removing opioid and other illegal substances.	Up to 6 meetings during the 2023 interim	5 Senators 5 Representatives	5
Recidivism Interim Study Committee	The committee will study: reviewing agency and department definitions of recidivism; examining other state and academic approaches to defining recidivism; reviewing other means to measure program success; and aligning agency and department recidivism definitions to more clearly measure program effectiveness.	3 meetings during the 2023 interim	3 Members of the House and 3 Members of the Senate, plus 9 non-legislative members	3

These committees are in addition to standing committees such as the Water Resources and Agriculture Review Committee, Transportation Legislation Review Committee, Wildfire Matters Review Committee, and the Sales and Use Tax Simplification Tax Force.

**Bill Requests.**

Some interim committees have the authority to propose legislation through bill request. Any bills requested by an interim committee must be approved by the Legislative Council, who will meet on November 15, 2023, to discuss any proposed legislation. Committee bills approved by the Legislative Council are exempt from the member’s five-bill introduction limit and will be introduced during the next legislative session. For a bill to be drafted the committee must request a bill by September 20, 2023. Each committee is required to approve any bill requests by

November 1, 2023, and each committee has a different number of bills they are authorized to request. CML staff will be following this process closely and provide updates once bills are approved this fall.

Important interim committee deadlines to keep in mind are:

- Committee bill requests complete by September 20
- Committee bill approval by November 1
- Legislative Council Meeting on November 15

To look at the upcoming interim schedule, visit the General Assembly’s website at [bit.ly/3Yi2ehb](http://bit.ly/3Yi2ehb). There you will also be able to listen to committee hearings, view committee agendas, and sign up for public testimony. For more detailed information on each interim committee, please review the memo produced by Legislative Council, available at [bit.ly/3Op3ED2](http://bit.ly/3Op3ED2)

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# NEWSLETTER

Vol. 49, No. 15, July 28, 2023

