

2023 Legislative Webinar

**Heather Stauffer, Jaclyn Terwey,
Meghan MacKillop, Mollie Steinemann**
Legislative Advocacy Team | Colorado Municipal League



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Beer and Liquor

Liquor Advisory Group

- 2023 has the potential to be a slow liquor law year. The Liquor Enforcement Division has convened a broad stakeholder group to generate recommendations for statutory alignment and modernization within the liquor code. Many liquor bills could be redirected to this advisory group this year and heard during the 2024 legislative session as an official recommendation.

Lobbyist: Mollie Steinemann



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Building Codes

Amenities For All Genders In Public Buildings

- The bill makes requirements around non-gendered bathroom amenities and diaper changing stations in restrooms for new construction and existing buildings owned or operated out of by a municipality, county or the state.

Lobbyist: Heather Stauffer



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Broadband

Repeal of Voting Requirement in SB05-152

- CML is actively engaged in the conversations regarding the repeal of the voting requirement for local governments to provide broadband to their communities.
- We are supporting of a clean repeal of the vote requirement and have been advocating as such at the legislature.

Lobbyist: Jaclyn Terwey



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Elections

Title 31 Vacancies and Recalls

- Rep. Daugherty
- This is CML initiated legislation to make updates and changes to the Title 31 municipal election code specifically around vacancies and recall elections.

Lobbyist: Heather Stauffer



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Employment

SB23-058 Job Application Fairness Act

- Sen. Danielson and Sen. Jaquez Lewis; Rep Willford and Rep Young
- This bill would prohibit employers from inquiring about a prospective employee's age, date of birth, and dates of attendance at or date of graduation from an educational institution an employment application. An employer may request to verify compliance with age requirements imposed pursuant to or required by a bona fide occupational qualification, a federal law or a state or local law based on a bona fide occupational qualification. CML is opposed unless amended.

Statute of Limitations Minimum Wage Laws

- HB 23-1035 would institute a statute of limitations on minimum wage claims, requiring that they be filed within 2 years of the cause of action, or within 3 years of a willful violation.

Lobbyist: Jaclyn Terwey



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Housing

Update on potential land use and zoning legislation

- The governor gave his state of the state speech on Tuesday and focused much of the speech on the need to create affordable housing statewide.
- There is not a draft bill, nor are there sponsors for potential legislation.

Housing

SB23-001: Authority of Public-private Collaboration Unit for Housing

- Sens. Roberts and Zenzinger and Reps. Bird and Lukens
- The bill promotes the use of public-private partnerships to create affordable housing. The bill will help local governments coordinate with state agencies and private partners to meet affordable housing goals.

SB23-035: Middle-income Housing Authority Act

- Sens. Bridges and Moreno and Rep. Herod
- The Middle-income Housing Authority was created during the 2022 legislative session, and incentivizes the creation of housing for families with 80 percent AMI, and up to 120 percent AMI in some areas.
- This bill makes clarifications to the legislation and modifications to the makeup of the board.
- CML is seeking clarifying language to ensure that the tax credits and exemptions only apply to housing.

Lobbyist: Meghan MacKillop



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Criminal Justice

Assault Weapons Ban

HB23-1042 Admissibility Standards for Juvenile Statements

- The bill makes any statement or admission obtained during a juvenile custodial interrogation in which a law enforcement official knowingly uses deception prior to or during the custodial interrogation presumptively inadmissible against the juvenile in an evidentiary hearing unless the prosecution proves by a preponderance of the evidence that the statement was made voluntarily.

Lobbyist: Mollie Steinemann



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Criminal Justice

SB23-022: Possession of Weapon by Previous Offender Crimes

- Senator Hinrichsen
- The bill adds aggravated motor vehicle theft to the convictions that prohibit a person from possessing a firearm.

Lobbyist: Mollie Steinemann



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Public Safety/Criminal Justice

Vehicle Theft Legislation

No-Knock Warrants

- Senator Fields will be introducing a bill that would prohibit the use of No-Knock Warrants and place limitations on the use of Knock-and-Announce Warrants.

Lobbyist: Mollie Steinemann



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Regulated Substances

Potential legislation regarding Prop 122/Psilocybin

- Senator Priola, Representative Amabile
- We are partnering with a group of stakeholders to introduce legislation in response to the passage of Prop 122. Ultimately, we are seeking to regulate psilocybin, healing centers, and other natural medicine the same way marijuana is and achieve greater local control.

Lobbyist: Mollie Steinemann



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Governmental Immunity

HB23-1032: Remedies Persons With Disabilities

- Rep. Ortiz
- The bill makes three changes to the remedies a person with disabilities is entitled to under Colorado State laws related to protections against discrimination on the basis of disability.
- The bill adds emotional distress to the types of monetary damages a person is entitled to.
- The bill also removes administrative processes currently in law and allows a person to go directly to court.

Lobbyist: Heather Stauffer



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Municipal Courts

Prohibition of Domestic Violence Cases in Municipal Courts

- Majority Leader Duran and Rep. Weissman
- A bill is not yet introduced; however, there is a desire to remove domestic violence cases from the jurisdictions of municipal courts.
- CML is requesting instead that municipal courts who choose to prosecute domestic violence cases apply the same standards that are in county and district courts.

Lobbyist: Meghan MacKillop



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Municipal Courts

CML-initiated legislation concerning municipal court data sharing

Raise the Floor

- There will be another effort to raise the age at which a person can be charged with a crime this legislative session.
- Currently, the age limit for charging a child with a criminal offense is 10, the proponents would like to see that raised to 13.
- This would include municipal offenses.
- A bill has not been drafted yet, but we expect to have more information in February.

Lobbyist: Meghan MacKillop



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Open Records

Colorado Open Records Act Reform

- Sen. Hansen and Rep. Snyder
- The current bill draft makes several changes to the Open Records Act Statutes. Including:
- Looping in the Judicial Branch of Government into the definition of entities who maintain public records.
- Updated definition of work product (not yet shared).
- Carving out fee exemptions for requestors deemed to be in the public interest. While allowing a public entity to recover full costs from requestors not deemed in the public interest.
- Updates to the timeline for requests in the public interest and those not in the public interest.
- Clarifying that a custodian may not charge a fee for providing records in a digital or electronic format.

Lobbyist: Heather Stauffer



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Sustainability

Treatment of Closed Local Government Landfills

- CCI is running a bill that would assist local governments in addressing environmental or public health risks from closed landfills.
- The bill would create a new grant program in CDPHE to provide funding for environmental remediation and maintenance

Lobbyist: Meghan MacKillop



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Taxation

HB23-1017: Electronic Sales and Use Tax Simplification System

- Rep. Kipp, Rep. Bockenfeld; Sen. Bridges, Sen. VanWinkle
- This bill is part of an effort to simplify the Sales and Use Tax System (SUTS) with multiple updates. It also prohibits the charging of a fee for payment, with the exception of a credit card fee. There will be changes to this bill as it moves through the process due to the fiscal note, and we have asked our Sales Tax Committee Members to provide feedback on the changes they'd most like to see remain in this bill as it moves forward. CML is supporting this bill.

Lobbyist: Jaclyn Terwey



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Transportation

Automated Vehicle Identification Systems

- There will be a bill this session that seeks to expand the use of automated vehicle identification systems (AVIS) in municipalities.
- The last draft of the bill contained provisions that would be burdensome on cities, include restricting the use of revenue from citations and requiring cities to offer alternative forms of payment for citations.
- CML has worked with the proponents on a new draft, but we have not seen an updated version as of this date.

Lobbyist: Meghan MacKillop



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Transportation

CML-initiated legislation concerning noise pollution from commercial vehicles

- CML is exploring different strategies to address existing statutory loopholes related to noise ordinance violations from unmuffled trucks and jake brakes.
- Currently, Colorado lacks the necessary statutory provisions that would allow municipalities, Colorado State Patrol, and the Colorado Department of Public Health and Environment to effectively enforce provisions in statute that require vehicles to have mufflers to reduce excessive engine noise.

Lobbyist: Meghan MacKillop



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Utilities

Resource Adequacy

- Rep. Bird; Sen. Rodriguez and Sen. Winter
- This bill requires each load-serving entity in the state, or its designated wholesale electric supplier, to create a resource adequacy annual report by April 1 each year, beginning in 2024. The reports must be published online and delivered to the entity's regulatory oversight entity, which in turn must submit them to the Colorado Energy Office by April 30. Finally, the Colorado Energy Office must compile the reports received and publish a statewide resource adequacy aggregate annual report each year by July 1. CML is in a neutral position, requesting one amendment in support of our partners at CAMU.

Lobbyist: Jaclyn Terwey



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Wildfire

Wildfire Resiliency Code Board

- Sen. Cutter
- Based on a policy recommendation made by the Colorado Fire Commission in 2022, this bill establishes the Wildfire Resiliency Code Board (Board) within the Department of Public Safety. The Board will adopt (by July 1, 2025) statewide codes and standards for the hardening of structures and parcels in the Wildland-Urban Interface (WUI). As part of that, the Board will define where the WUI is located and the areas that are included within it. Local governments will be required to adopt codes that meet or exceed the minimum codes adopted by the Board. A local government may also petition the Board for a modification of the codes.

Lobbyist: Heather Stauffer



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Water

CDPHE Fee Setting via Rulemaking

- The department would like to run legislation which would take fee setting for water quality control permitting out of the hands of the legislature and allow the Water Quality Control Commission the ability to set fees.

Lobbyist: Heather Stauffer



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Contact Us

Heather Stauffer
hstauffer@cml.org

Mollie Steinemann
msteinemann@cml.org

Meghan MacKillop
mmackillop@cml.org

Jaclyn Terwey
jterwey@cml.org



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