

SB 18-007 **AFFORDABLE HOUSING**
Low Income Housing Tax Credit

The act continues the Colorado Low-Income Housing Tax Credit, which is scheduled to expire after 2019, for an additional five years. Effective: May 22, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1096 **BEER & LIQUOR**
Special Event Permits

The act codifies existing liquor rules. It adds to the list of organizations authorized to obtain a special event permit any organization that is incorporated under Colorado law for educational purposes. It removes the requirement that a special event permit be issued to a municipality only if the municipality owns an art facility and instead allows a special event permit to be issued to any municipality, county, or special district. Effective: Aug. 8, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 18-173 **BEER & LIQUOR**
Removal of Partially Consumed Vinous Liquor

The act adds certain liquor licensees that may allow a customer to reseal and remove from the licensed premises one opened container of partially consumed vinous liquor if the licensee has meals or sandwiches and light snacks available for consumption on the licensed premises. Effective: Aug. 8, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 18-243 **BEER & LIQUOR**
Retail Alcohol Beverage Sales

SB 18-243 makes substantive changes to laws governing the sale of fermented malt beverages, which become identical in law to malt liquor beginning on Jan. 1, 2019. Upon enactment, new or relocating fermented malt beverage licensees will be subject to specified distance restrictions from educational institutions and other establishments licensed for off-premise consumption, with certain exceptions. With certain exceptions, fermented malt beverage retail stores will be subject to food sale requirements. The act modifies requirements pertaining to delivery of alcohol beverages by certain licensees, and updates provisions related to alcohol beverage tastings in retail liquor stores and liquor licensed drug stores. The act clarifies local control over public consumption of alcohol beverages in public places, with certain restrictions and also changes the maximum number of licenses a retail liquor store and liquor licensed drugstore licensee may have. Contains numerous other provisions. Effective: Most sections effective June 4, 2018; other sections effective July 1, 2018, or Jan. 1, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1314 **CRIMINAL JUSTICE**
Drone Interference with Public Safety

Under this act, it is a class 2 misdemeanor offense to obstruct a peace officer, firefighter, emergency medical service provider, rescue specialist, or volunteer with an unmanned aircraft system, commonly referred to as a drone. The act further defines obstructs as acting in a manner that

obstructs, impairs, or hinders emergency public safety operations. Effective: Aug. 8, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1418 **EMPLOYMENT**
Use of Criminal Convictions in Employment

This act amends existing law directing a state or local agency, when deciding whether to issue a license or permit, to consider an individual's criminal record in determining whether the individual is of good moral character. It changes the determination to consider whether only the individual is qualified and allows additional specific considerations. The act prohibits a state or local agency from taking adverse action concerning a license or permit or not extending an offer of employment if an individual has been arrested but not charged, or has been convicted but pardoned, had the conviction record sealed, or had a collateral order entered concerning the conviction. Contains additional provisions related to state licensure. Effective: May 30, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1234 **LIMITED GAMING**
Clarification of Gambling

HB 18-1234 amends the definitions of key terms used in the criminal statutes governing simulated gambling devices, including the definition of "simulated gambling device" to include devices that combine the elements of chance and skill, in accordance with the state constitution. The bill also provides a safe harbor to businesses that ceased activities before July 1, 2018. Effective: June 6, 2018. Lobbyists: Meghan Dollar, mdollar@cml.org; Dianne Criswell, dcriswell@cml.org.

SB 18-191 **LIMITED GAMING**
Local Government Limited Gaming Impact Fund

This bill modifies the distribution of the state share of the gaming tax by changing the distribution from \$5 million annually to the Local Government Limited Gaming Impact Fund to \$5 million plus an annual increase equal to the growth of the state share of gaming tax revenue. Requires the Department of Local Affairs to study the fund to identify if grants are going to strictly gaming impacted entities. Directs the Department of Human Services to improve the current gambling addiction treatment program. Effective: May 29, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

SB 18-066 **LOTTERY**
Division of Lottery

SB 18-066 reauthorizes the Division of Lottery until July 1, 2049. Effective: Aug. 8, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1381 **MARIJUANA**
Permissive Medical Marijuana Vertical Integration

The act eliminates the requirement that a medical marijuana center source 70 percent of the medical marijuana it sells from its associated optional premises cultivation facility and that requires an optional premises cultivation facility to have

70 percent of the medical marijuana it cultivates sold through its associated medical marijuana center. The act allows medical marijuana centers to source medical marijuana from any optional premises cultivation facility. HB 18-1381 contains numerous provisions related to transitioning from the limited sourcing model, as well as other provisions. Effective: Some sections effective July 1, 2018. Remaining sections effective July 1, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1389 **MARIJUANA**

Centralized Marijuana Distribution Permit

HB 18-1389 creates a centralized distribution permit to an optional premises cultivation facility or retail marijuana cultivation facility authorizing temporary storage on its licensed premises of marijuana concentrate or marijuana products for the sole purpose of transfer to the permit holder's respective commonly owned medical marijuana centers or retail marijuana stores. The act requires an applicant send a copy of its application to the local jurisdiction and for the state licensing authority to notify the local jurisdiction of its determination. Effective: May 24, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 18-259 **MARIJUANA**

Local Government Marijuana Taxes

SB 18-259 requires a county or municipality that levies excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility (retail marijuana excise tax) to levy the tax at a rate of up to 5 percent of the average market rate (the only basis for calculation allowed under current law) of the unprocessed retail marijuana if the transaction is between affiliated retail marijuana business licensees and at a rate of up to 5 percent of the contract price of the unprocessed retail marijuana if the transaction is between unaffiliated retail marijuana business licensees. The act creates a temporary exception to allow the continued collection of excise tax through the end of 2020 for counties or municipalities that received prior voter approval to levy only an excise tax calculated based on the average market rate of the unprocessed retail marijuana. Contains other provisions. Effective: Jan. 1, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 18-271 **MARIJUANA**

Colocation of Research Licensees with Other Licensees

Subject to rules of the Marijuana Enforcement Division and if permitted by the local licensing authority, SB 18-271 authorizes marijuana research and development licensees and marijuana research and development cultivation licensees to transfer unused marijuana within the regulated marijuana industry, as well as for research licensees to be co-located at the premises of a medical marijuana-infused products manufacturer or a retail marijuana products manufacturer. Effective: May 30, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1353 **MUNICIPAL COURTS**

Defense Counsel in Municipal Court Grant Program

The act creates a grant program in the Department of Local Affairs to provide funds to municipalities to cover the costs of defense counsel required by HB 16-1309. It appropriates \$1.85 million for the first year. Effective: May 30, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

SB 18-203 **MUNICIPAL COURTS**

Conflict-free Representation in Municipal Courts

The act requires municipalities to provide independent indigent defense for each indigent defendant charged with a crime that has a possible sentence of incarceration. Independent defense is to be overseen by the municipality, but must be provided by a nonpartisan entity that is independent of the municipal court by Jan. 1, 2020. Authorized entities that may provide or evaluate independent defense include the Office of the Alternate Defense Counsel (OADC) or any Colorado law school legal aid clinic, or an attorney or group of attorneys as long as they are not affiliated with the municipality receiving the services. Municipalities contracting for the provision of independent indigent defense must ensure that the independent defense selection process is transparent and merit based, each contracted indigent defense attorney is evaluated by an independent entity no later than one year after being hired and at least every three years thereafter, and evaluation results must be provided in writing to the municipality along with any corrective action recommendations. The act provides that municipalities may also establish a local independent defense commission or coordinate with one or more other municipalities to create a regional independent defense commission. Any such commission must include at least three commissioners. Any commission created has the responsibility and exclusive authority to appoint independent defense counsel for a term of at least one year, has the sole authority to supervise appointed independent defense counsel and may discharge him or her for cause. Finally, the commission must ensure that indigent defendants receive legal services equal to those available for non-indigent defendants and in accordance with Colorado rules of professional conduct and American Bar Association standards. Municipalities that wish to use the OADC for independent defense or evaluation services must request such services on or before Sept. 1, 2018, and on or before each year thereafter. The OADC is required to notify municipalities requesting independent defense or evaluation services of its ability to provide such services on May 1, 2019 and on or before each year thereafter. Effective: Aug. 8, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

SB 18-230 **OIL AND GAS**

Forced Pooling Requirements

This act modifies how oil and gas forced pooling orders are conducted in Colorado. Specifically, the legislation expands the notification period to mineral owners from 30 days to 60 days; Reforms the notification process in a manner that informs all mineral owners of their rights and responsibilities under the law; and removes nonconsenting owners of liability for any unforeseen accidents or spills. Effective: July 1, 2017. Lobbyist: Morgan Cullen, mcullen@cml.org.

HB 18-1003**PUBLIC SAFETY****Opioid Misuse Prevention**

The act establishes the 10-member Opioid and Other Substance Use Disorders Study Committee as an interim study committee through July 1, 2020. It clarifies that school-based health centers that apply for grants from the grant program from the Department of Public Health and Environment can use this funding for education, intervention, and prevention for opioid, alcohol, marijuana, and other substance use disorders. The legislation also requires the Department of Health Care Policy and Financing to make grants to organizations to operate screening, brief intervention, and referral to treatment programs and requiring that a total of \$1.5 million in grants be awarded. It directs the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center to develop and implement continuing medical education activities to help prescribers of pain medication to safely and effectively manage patients with chronic pain, and prescribe opioids when appropriate, requiring the center to develop education and training for law enforcement officers and first responders, and appropriates funding for that program. Finally, the act requires the governor to direct the Colorado Consortium for Prescription Drug Abuse Prevention to develop a strategic plan concerning substance use recovery services and issue recommendations to the General Assembly by Jan. 1, 2020. Effective: May 21, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1020**PUBLIC SAFETY****Civil Forfeiture Reforms**

The act defines a reporting agency for the purpose of making it clear which agencies are required to submit seizure reports to the Department of Local Affairs as required by HB 17-1313. The legislation also adds seizures related to local public nuisance laws or ordinances to the list of seizures to be reported and creates two law enforcement grants. The two grant programs are law enforcement assistance grant program and the law enforcement community services grant program. The act changes the distribution formula to give 25 percent to behavioral service providers and 25 percent to the newly created Law Enforcement Community Services Grant Fund, with the remaining 50 percent still going to the governing body of the seizing agency. Effective: Sept. 1, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1325**PUBLIC SAFETY****Digital Trunked Radio**

The act expands the allowable use of the Public Safety Communications Trust Fund. It appropriates \$2 million from the General Fund to the trust fund to fill coverage gaps in the state digital trunked radio system. Effective: April 30, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1394**PUBLIC SAFETY****Colorado Disaster Emergency Act**

The act adds statutory definitions regarding emergency management, mitigation, recovery, resiliency, and response.

Subject to available grant funding, this act continues the Colorado Resiliency Office (CRO) by codifying it in the Department of Local Affairs (DOLA). The office is to create and maintain the resiliency and community recovery program. In developing the resiliency and community recovery program, the CRO must complete a participatory process that includes local governments; state agencies; business, labor industry, agriculture, civic and volunteer organizations; academia; community leaders; and other stakeholder participation. The act relocates existing statute regarding the Expert Emergency Response Committee within Title 24, makes changes to update emergency management terminology, and adds the executive director of DOLA or his or her designee to the committee. Finally, the act specifies that by June 30, 2019, and regularly thereafter, the Office of Emergency Management in the Department of Public Safety must update the centralized response computer database to include a listing of all-hazards recovery resources located in the state. Effective: Aug. 8, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

SB 18-024**PUBLIC SAFETY****Access to Behavioral Healthcare Providers**

The act adds behavioral health care providers and candidates for certain types of professional licensure to the list of health care providers eligible for loan repayment. It specifies that candidates for licensure must serve at least two years in a rural or shortage area after obtaining a license, plus the time spent obtaining supervised experience hours. Effective: May 22, 2018. Lobbyist: Meghan Dollar, mdollar@cml.org.

HB 18-1128**RECORDS****Data Breach Notification**

HB 18-1128 requires private and governmental entities in Colorado that maintain paper or electronic documents containing personal identifying information (PII) to do adopt policies to maintain and destroy PII; implement and maintain reasonable security procedures for PII; and disclose and provide notification of data breaches. Effective: Sept. 1, 2018. Lobbyist: Dianne Criswell, dcriswell@cml.org.

SB 18-086**RECORDS****Record Cryptology**

This act directs certain state officials to take actions to protect state records containing trusted sensitive and confidential information from criminal, unauthorized, or inadvertent manipulation or theft. It also prohibits county or municipal governments from imposing taxes, fees, or licensing requirements for distributed ledger technologies. Effective: May 30, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1022**TAXATION****Sales – Sales Tax Simplification**

HB 18-1022 requires the Department of Revenue to issue a request for information for an electronic sales and use tax simplification system that the state or any local government that levies a sales or use tax, including a home rule municipality and county, could choose to use that

would provide administrative simplification to the state and local sales and use tax system. Effective March 1, 2018. Lobbyist: Dianne Criswell, dcriswell@cml.org.

SB 18-002 TELECOMMUNICATIONS

High Cost Support Mechanism Transfer to Broadband Grants

SB 18-002 amends the definition of "broadband network" to increase the speed at least 10 Mbps or the FCC minimum, which is currently 25 Mbps. It amends the definition of "unserved area" to refer to an area that is unincorporated, or within a municipality with fewer than 7,500 inhabitants. The act requires the Public Utilities Commission to allocate specified amounts of high cost support mechanism (HCSM) money to broadband deployment and makes conforming amendments. The act changes the membership of the Department of Regulatory Agencies Broadband Deployment Board, prohibits funding a proposed project that overlaps or overbuilds another broadband project and requires the grants for a proposed project to match the definition of "broadband network." Contains numerous other provisions related to grant criteria and procedures. Effective: Aug. 8, 2019. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 18-1103 TRANSPORTATION

Local Government Off-Highway Vehicle Regulation

This act allows local governments to impose additional safety requirements for off-highway vehicles on roads within their jurisdiction. The bill clarifies that local governments who impose these ordinances will do so consistent with state rules. Effective Date: Aug. 8, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.

HB 18-1191 TRANSPORTATION

Local Authority to Alter Speed Limits

This act adds additional criteria (such as road characteristics, crash statistics, and pedestrian and bicycle activity in the vicinity) that can be taken into consideration by local governments when determining whether to raise or lower speed limits. Effective: Aug. 8, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.

HB 18-1285 TRANSPORTATION

Free Parking for Persons with Disabilities

This act changes statutory guidelines for persons with disabilities qualifying for free parking. The bill allows free parking only for individuals who are physically unable to pay a parking meter and have received written medical verification. Those individuals that qualify will receive a special remuneration-exempt parking placard indicating their status. The act repeals existing authority for a person with a disability to park without paying. Effective: Jan. 1, 2019. Lobbyist: Morgan Cullen, mcullen@cml.org.

SB 18-001 TRANSPORTATION

Infrastructure Funding

The act provides two General Fund contributions with local share backs through the Highway Users Tax Fund

(HUTF) formula. The legislation appropriates \$495 million in FY 2018-19 and \$150 million in FY 2019-20, with 15 percent designated to municipalities and counties, and 15 percent to multimodal in both years. This means Colorado municipalities will receive an aggregate total of \$37.1 million this year and \$11.2 million next year. The bill also stipulates that 85 percent of the multimodal funding go solely to local governments. The bill also refers a \$2.35 billion bonding measure for voter approval in 2019, unless a citizen initiative passes in the November 2018 election, and allows the first tranche in lease purchase agreements authorized through SB 17-267 to move forward. Effective: May 31, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.

SB 18-144 TRANSPORTATION

Bicycles Approaching Intersections

This act permits a municipality to adopt a local ordinance regulating the operation of bicycles approaching intersections with stop lights or stop signs. The bill authorizes municipalities to allow bikers to pass through an intersection without stopping at a reduced rate of speed if it is safe to proceed. It also adopts a standard set of criteria to ensure the law is applied consistently statewide. Effective: May 3, 2017. Lobbyist: Morgan Cullen, mcullen@cml.org.

SB 18-248 URBAN RENEWAL

Treatment of Voter Approved Revenue Increases

For urban renewal plans adopted or substantially modified after Jan. 1, 2016, SB 18-248 removes the responsibility of a county treasurer from calculating the increment used to finance urban renewal projects attributable to taxes approved after the urban renewal plan was adopted or to revenues attributable to a subsequent debrucing. The act permits an urban renewal authority and a municipality or any other taxing entity to negotiate for the purpose of entering into an agreement on the issues of the amount of repayment, the mechanics of how repayment of the additional revenues will be accomplished, a method for resolving disputes regarding the amount of repayment, and whether the municipality or taxing entity will waive the repayment requirement, singularly or in combination, and are further authorized to enter into an intergovernmental agreement regarding any of these issues. Effective: May 30, 2018. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 18-167 UTILITIES

8-1-1 Enforcement Requirements

This act transforms Colorado's 8-1-1 "call before you dig" program into a true one-call system by requiring tier-1 membership of all facility owners. Currently in Colorado, facility owners can be either tier-1 or tier-2 members, which provide different levels of notification and costs for locate requests. It also creates a statewide 12-member safety commission with broad oversight and enforcement authority over the organization, its members and excavators. Effective: Aug. 8, 2018. Lobbyist: Morgan Cullen, mcullen@cml.org.