

COLORADO LAWS ENACTED

Affecting Municipal Governments

2022



COLORADO
MUNICIPAL
LEAGUE



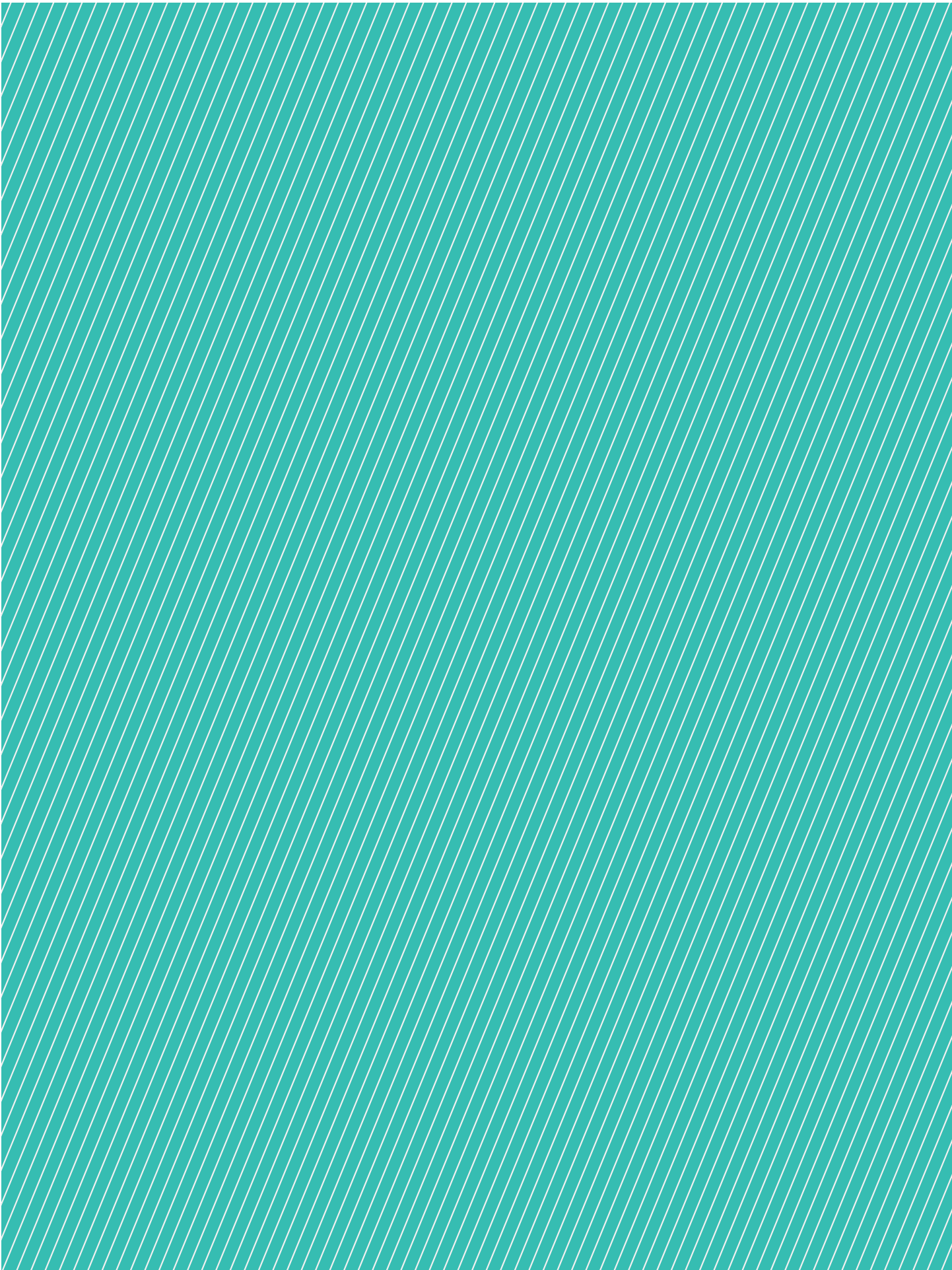




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The Colorado Municipal League is continuing its commitment to its members by providing information they need as inexpensively and easily as possible.

FOREWORD



On May 11, 2022, the General Assembly adjourned sine die. A large theme of the 2022 legislative session was dedicating American Rescue Plan Act funding. The additional funding will help many municipal needs including, but not limited to, housing, broadband, behavioral health, public safety, wildfire, and water. During the 2022 Legislative Session, the CML Advocacy Team followed nearly 300 bills. CML supported 51 pieces of legislation with a 90% passage rate. Additionally, CML opposed 28 pieces of legislation, 75% of which were either defeated or amended to remove CML's

opposition. Each year, CML analyzes the laws passed by the General Assembly that affect cities and towns. Colorado Laws Enacted Affecting Municipal Governments focuses on selected acts that have a particular significance for municipal operations, services, and powers — it is not a comprehensive listing of all new legislation enacted into law affecting municipal government.

For information or assistance on any legislative questions, contact CML at 303-831-6411 or 866-578-0936. CML is continuing its commitment to its members by providing the information they need as inexpensively and easily as possible. 2022 Colorado Laws Enacted Affecting Municipalities will be available to all for free — along with several past years' editions — online at cml.org.

KEVIN BOMMER

CML executive director

June 2022

CML ADVOCACY TEAM



Legislative advocacy manager:

MEGHAN DOLLAR

Meghan is responsible for managing CML's advocacy team and coordinates the CML Policy Committee. Her issues include affordable housing; criminal justice; land use and building codes; employment and labor; retirement/pensions; and taxation and fiscal policy. She assists in training and answering inquiries for other municipal officials on various topics. Meghan joined the League in 2011.



Legislative & policy advocate:

JACLYN TERWEY

Jaclyn is responsible for advocating municipal interests before the state legislature. Her issues include beer and liquor; marijuana; hemp; historic preservation; lottery and gaming; public health; purchasing; state budget and JBC; telecom and broadband; and utilities. She joined the League in 2022.



Legislative & policy advocate:

MEGHAN MACKILLOP

Meghan is responsible for advocating municipal interests before the state legislature. Her issues include transportation; economic development; sustainability; air quality; immigration; substance abuse; municipal debt and finance; municipal courts; and public safety. She assists in training and answering inquiries for other municipal officials on various topics. Meghan joined the League in January 2021.



Legislative & policy advocate:

HEATHER STAUFFER

Heather is responsible for advocating municipal interests before the state legislature. Her issues include natural resources and environment; elections; governmental immunity; oil and gas; open meetings/open records; special districts; severance tax/FML/energy impact; water and wastewater/water quality; and wildfire. She assists in training and answering inquiries for other municipal officials on various topics. Heather joined CML in July 2019.

Affordable HOUSING

HB22-1051

Modify the Affordable Housing Tax Credit

<https://leg.colorado.gov/bills/hb22-1051>

The act continues the state affordable housing income tax credit allocated by the Colorado Housing and Finance Authority (CHFA) for an additional seven years, from 2024 to 2031. It maintains the amount of the credit at \$10 million per year. The act removes the aggregate cap for credits for qualified developments in a county impacted by a federally declared natural disaster for the purposes of leveraging state and federal natural disaster funds for recovery efforts. This results in a total of at least \$420 million in additional tax credits that can be allocated by CHFA over nine years. **Effective: May 26, 2022.** Lobbyist: Meghan Dollar.

HB22-1242

Regulate Tiny Homes Manufacture Sale and Install

<https://leg.colorado.gov/bills/hb22-1242>

The act restricts local inspection of tiny home construction and installation and expands the authority of the State Board of Housing in the Department of Local Affairs (DOLA) to promulgate rules establishing standards for tiny homes that cover the manufacture, assembly, and installation of tiny homes; and uniform foundation construction standards for factory-built structures or tiny homes in areas of the state where no standards exist. The rules must be promulgated by July 1, 2023. The act exempts tiny homes from state sales and use tax to conform to the exemption of manufactured homes and defines tiny homes certified by the Division of Housing in DOLA as residential improvements for assessing property taxes. Contains numerous other provisions. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1282

The Innovative Housing Incentive Program

<https://leg.colorado.gov/bills/hb22-1282>

The act creates the innovative housing incentive program within the Office of Economic Development. A business located in Colorado that manufactures certain types of housing may apply for funding through the program. Funding may be awarded through grants for operating expenses and for incentives for units manufactured based on criteria established by the office, such as affordability, location where the unit is installed in the state, or meeting energy efficiency standards. Funding may also be awarded through loans for the purpose of funding a manufacturing factory. **Effective: May 20, 2022.** Lobbyist: Meghan Dollar.

HB22-1287

Protections for Mobile Home Park Residents

<https://leg.colorado.gov/bills/hb22-1287>

The act amends the “Mobile Home Park Act” and the “Mobile Home Park Act Dispute Resolution and Enforcement Program” to:

- Clarify the triggering events that demonstrate a park owner’s intent to sell a park for purposes of providing notice to homeowners and the method for giving notice;
- Change the period in which a group or association of mobile homeowners may make an offer to purchase the park from 90 to 120 days and provide for tolling of that time in certain circumstances;
- Provide a right of first refusal for a public entity that accepts an assignment of a group or association of mobile homeowners’ opportunity to purchase;
- Clarify the obligations of a landlord to provide notice to homeowners concerning the terms and conditions of an offer to purchase the park that the landlord would accept and to negotiate in good faith with the homeowners;
- Require a landlord who changes the use of the land comprising the park to compensate a mobile home owner who has not given notice to terminate the lease or rental agreement and who is displaced by the change in use for the reasonable costs of relocating the mobile home to a location within 100 miles of the park, the fair market value of the mobile home before the change in use, or in the amount of \$7,500 for a single-section mobile home or \$10,000 for a multi-section mobile home;
- Allow the attorney general to investigate and enforce statutory provisions providing protections for mobile homeowners;
- Clarify the procedures and penalties that apply when a party does not respond to a subpoena from the division;
- Prohibit a landlord from interfering with the mobile homeowner’s right to sell a mobile home to the buyer of his or her choice, except in limited circumstances; and
- Consolidate provisions concerning private rights of action for landlords, homeowners, and residents, and establish penalties and remedies available in private actions.

Contains numerous other provisions. **Effective: October 1, 2022.** Lobbyist: Meghan Dollar.

HB22-1304

State Grants Investments Local Affordable Housing

<https://leg.colorado.gov/bills/hb22-1304>

The act creates two grant programs. The local investments in transformational affordable housing grant program and the infrastructure and strong communities grant program. Both programs are administered by the Department of Local Affairs. The affordable housing grant program provides grants to local governments and nonprofit organizations to enable such entities to make investments in their communities or regions of the state in transformational affordable housing and housing related matters. The strong communities grant program provides grants

to eligible local governments to enable local governments to invest in infill infrastructure projects that support affordable housing. The act specifies how grant funding is to be prioritized and eligible uses of grant money awarded under the grant programs. **Effective: June 1, 2022.** Lobbyist: Meghan Dollar.

HB22-1377

Grant Programs to Respond to Homelessness

<https://leg.colorado.gov/bills/hb22-1377>

The act creates the Connecting Coloradans Experiencing Homelessness with Services, Treatment, and Housing Supports Grant Program in the Department of Local Affairs (DOLA) to award grants to certain local governments. DOLA must create policies for the program consistent with the minimum requirements established in the bill, with the goal of reducing the rate of homelessness through community-based support systems. It also creates the Connecting Coloradans Experiencing Homelessness with Services, Treatment, and Housing Supports Fund, which is continuously appropriated to DOLA, authorizes DOLA to seek and accept gifts, grants, and donations for the program, and directs the General Assembly to appropriate \$105 million to the fund. DOLA may use up to seven percent of the money appropriated or transferred to the fund for administrative costs. **Effective: May 31, 2022.** Lobbyist: Meghan Dollar.

HB22-1378

Denver-metro Regional Navigation Grant

<https://leg.colorado.gov/bills/hb22-1378>

The act directs the Department of Local Affairs to award a grant to a local government in the Denver metropolitan area or a community partner in conjunction with a local government in order to build or acquire, and then facilitate, a regional navigation campus to respond to and prevent homelessness. **Effective: May 31, 2022.** Lobbyist: Meghan Dollar.

SB22-146

Middle Income Access Program

<https://leg.colorado.gov/bills/sb22-146>

The act appropriates \$25 million from the affordable housing and home ownership cash fund which is funded from the general fund to the Department of Local Affairs (DOLA) for expansion of the middle-income access program created and administered by the Colorado Housing and Finance Authority (CHFA). The bill requires the division of housing within DOLA to contract with CHFA for administration of the money transferred. **Effective: May 16, 2022.** Lobbyist: Meghan Dollar.

SB22-159

Revolving Loan Fund Invest Affordable Housing

<https://leg.colorado.gov/bills/sb22-159>

The act creates the Transformational Affordable Housing Revolving Loan Program in the in the Department of Local

Affairs to provide flexible, low-interest, and below-market-rate loan funding to make investments in transformational affordable housing. Local governments are eligible recipients. **Effective: May 26, 2022.** Lobbyist: Meghan Dollar.

SB22-160

Loan Program Resident-owned Communities

<https://leg.colorado.gov/bills/sb22-160>

The act establishes the Mobile Home Park Resident Empowerment Loan Program in the Department of Local Affairs (DOLA). The department must contract with one or more administrators to finance acquisitions or capital improvements for homeowners to purchase their mobile home park. DOLA must also establish two grant programs. One is for nonprofit organizations to provide technical assistance to eligible homeowners seeking to organize and purchase their mobile home park. The second is for eligible homeowners to maintain the long-term affordability of a resident-owned mobile home park. **Effective: May 17, 2022.** Lobbyist: Meghan Dollar.

SB22-232

Creation of the Middle-Income Housing Authority

<https://leg.colorado.gov/bills/sb22-232>

The act creates the Middle-Income Housing Authority as an independent statutory public entity to acquire, construct, rehabilitate, own, operate, and finance affordable rental housing projects for the middle-income workforce. The authority will be governed by a thirteen-member board of directors.

The authority has the power to:

- Issue bonds payable solely from revenues from affordable rental housing projects and with no recourse to the state;
- Enter into public-private partnerships and to contract with experienced real estate professionals to develop and operate affordable rental housing projects;
- Employ its own personnel or contract with public or private entities for services to conduct its activities;
- Provide assistance to tenants in its rental housing to transition to home ownership; and
- Establish one or more controlled entities to carry out its activities.

The act purports to exempt all income and assets of the authority and entities controlled by the authority, including real property and bonds, from state and local income, property, and sales and use taxes. The authority must notify local governments of proposed projects in their jurisdictions. If a local government timely objects to a project within its jurisdiction, the authority cannot proceed with a project; failure to object permits the authority to proceed. Contains numerous other provisions. **Effective: June 3, 2022.** Lobbyist: Meghan Dollar.

Air QUALITY

HB22-1232

Sunset Continue Regulation of Asbestos

<http://leg.colorado.gov/bills/hb22-1232>

The act continues the state regulation of asbestos for 5 years, until September 1, 2027. The act makes minor changes to the application language regarding asbestos inspections as required in C.R.S. § 25-7-509.5, for local government applications for permits to renovate or demolish property. The act also adds to the powers and duties of the Air Quality Control Commission, to provide information to local governments to be used in connection with the issuance of a building permit regarding the need for an inspection for the presence of asbestos-containing materials prior to renovation or demolition of any building or property that may contain asbestos. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

HB22-1244

Public Protections from Toxic Air Contaminants

<https://leg.colorado.gov/bills/hb22-1244>

The act creates a new program in the Department of Public Health and Environment (CDPHE) to regulate toxic air contaminants based on adverse health effects. Toxic air contaminants are defined in the act as hazardous air pollutants, covered air toxics, and any other air pollutant designated by the Air Quality Control Commission (AQCC). The AQCC must adopt rules to implement the program. CDPHE will publish an initial list of toxic air contaminants by October 1, 2022, and will update this list by September 20, 2030, and every 5 years thereafter. All owners and operators of major sources and minor synthetic sources must submit annual toxic emissions reports beginning June 30, 2024. The AQCC will consider adopting rules by April 30, 2025, based on the report findings. CDPHE will conduct an air monitoring program beginning in 2024. The AQCC will establish health-based standards as well as emission control regulations. **Effective: June 2, 2022.** Lobbyist: Jaclyn Terwey.

SB22-193

Air Quality Improvement Investments

<http://leg.colorado.gov/bills/sb22-193>

The act creates several grant programs in the Colorado Energy Office (CEO) and Colorado Department of Public Health and Environment (CDPHE) to fund voluntary efforts to reduce air pollution. The Industrial and Manufacturing Operations Clean Air Grant Program is created in the CEO to help private entities, local governments, tribal governments, and public-private partnerships finance voluntary projects to reduce emissions of air pollutants from industrial and manufacturing operations. The Community Access to Electric Bicycles Grant Program is created

in the CEO to finance bike share programs and ownership programs administered by local governments or nonprofit organizations. Local governments may receive grant funding to purchase and maintain electric bicycles, equipment, and infrastructure for a bike share or ownership program, pay labor costs to implement a program, and cover the administrative costs associated with implementing a program. The Electrifying School Buses Grant Program is created in CDPHE to help school districts and charter schools finance the conversion and replacement of fossil-fuel powered school buses with electric-powered school buses. The act also modifies certain definitions, forming requirements, hearing deadlines, and the legislative review process for revisions to the State Implementation Plan in CDPHE's air quality control program. **Effective: June 2, 2022.** Lobbyist: Meghan MacKillop.

Beer and LIQUOR

HB22-1415

Repeal Registered Manager Requirement

<https://leg.colorado.gov/bills/hb22-1415>

The act amends the "Colorado Liquor Code" to eliminate the requirement that hotel and restaurant, tavern, and lodging and entertainment licensees register a manager with the Liquor Enforcement Division in the Department of Revenue or with a local licensing authority. The licensees are required to notify and pay a \$30 fee to each the state and local licensing authority if the licensee changes its manager. **Effective: June 7, 2022.** Lobbyist: Jaclyn Terwey.

BROADBAND

HB22-1306

Broadband Deployment Board Grant Processes

<https://leg.colorado.gov/bills/hb22-1306>

The Federal Government is directing a significant amount of dollars to states for broadband funding with federal requirements to access these dollars, less stringent than how Colorado's Broadband Deployment Board had been reviewing applications in prior funding cycles. This act changes application requirements to align with the federal requirements to help get broadband dollars out the door faster to rural communities. **Effective: June 2, 2022.** Lobbyist: Jaclyn Terwey.

SB22-083

Broadband Provider's Use of Public Rights-of-Way

<https://leg.colorado.gov/bills/sb22-083>

Through Executive Order D 2022 009, the Governor directed the Department of Transportation (CDOT) to develop an electronic application and other structures to facilitate non-governmental access to certain public rights of way and fiber lease or swap for the deployment of broadband. CDOT must provide reasons for acceptance or denial of any request for access and make them publicly available online. The act codifies these requirements. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

Building CODES

HB22-1346

Electrician and Plumber Licensing

<https://leg.colorado.gov/bills/hb22-1346>

The act authorizes the Department of Regulatory Agencies to appoint or employ individuals who are licensed or, if not licensed, who demonstrate substantial work experience in the electrical, plumbing, or construction industry to:

- Conduct compliance checks to ensure compliance with licensing and supervisor-to-apprentice ratio requirements applicable to electricians and plumbers on projects throughout the state; and
- Prioritize for compliance checks projects that provide or will provide critical needs to state residents.

The act also:

- Specifies that only a homeowner performing work on the homeowner's home or a licensed master electrician or plumber who is either a registered electrical or plumbing contractor or directly employed by a registered electrical or plumbing contractor may apply for an electrical or a plumbing permit;
- Prohibits a licensed master electrician or plumber who is not a registered electrical or plumbing contractor and who is working as an independent contractor from applying for an electrical or a plumbing permit and makes a violation of this prohibition specific grounds for discipline by the electrical or plumbing board, as applicable;
- Requires the entity issuing the permit to verify that the applicant meets the qualifications to apply for the permit; and
- Requires inspecting entity procedures to include a provision allowing the inspecting entity to request worker documentation indicating compliance with worker license requirements and the supervisor-to-apprentice ratio. **Effective: January 1, 2023.** Lobbyist: Meghan Dollar.

HB22-1362

Building Greenhouse Gas Emissions

<https://leg.colorado.gov/bills/hb22-1362>

The act establishes minimum energy codes that local governments must adopt when they are adopting or updating their building codes. HB22-1362 also creates an Energy Code Board which includes local government officials. The Board will meet to create a model solar energy code, a model electric ready code, and a model low energy and carbon code. The Board is dissolved on September 1, 2027.

The timelines are below:

- When adopting or updating a building code prior to July 1, 2023, the municipality must adopt and enforce an energy code that achieves equivalent or better energy performance than one of the three most recent editions of the International Energy Conservation Code.
- A municipality that has adopted and enforced one or more building codes, and that updates one or more building codes after July 1, 2023, and before July 1, 2026, must adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 International Energy Code and the model electric ready code and the solar ready code developed by the Energy Code Advisory Board.

- A municipality that has adopted and enforced one or more building codes, and that updates one or more building codes after July 1, 2026, must adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code created by the Energy Code Board.

Two grant programs are also created:

- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and
- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood. **Effective: June 2, 2022.** Lobbyist: Meghan Dollar.

See also: AFFORDABLE HOUSING (HB22-1242: Regulate Tiny Homes Manufacture Sale and Install); AIR QUALITY (HB22-1232: Sunset Continue Regulation of Asbestos); UTILITIES (SB22-118: Encourage Geothermal Energy Use).

Business LICENSING

HB22-1324

Definition of a Pawnbroker

<https://leg.colorado.gov/bills/hb22-1324>

Under current law, a pawnbroker is defined as a person who makes contracts for purchase or makes purchase transactions. Under HB22-1324, a person who makes purchase transactions is a pawnbroker only if he or she also makes contracts for purchase. The act is in response to the Colorado Court of Appeals decision in *Pro's Closet, Inc. v. City of Boulder*, 2019 COA 128. **Effective: May 26, 2022.** Lobbyist: Meghan Dollar.

Criminal JUSTICE

HB22-1003

Youth Delinquency Prevention and Intervention Grants

<http://leg.colorado.gov/bills/hb22-1003>

The act establishes the delinquency prevention and young offender intervention pilot grant program in the Department of Public Safety. The program awards 2-year grants to local governments, American Indian tribes, and nonprofit organizations to fund projects to reduce crime among youth. Preference is given to applicants whose projects demonstrate a community-based response in which multiple community-based partners coordinate to reduce youth involvement in the juvenile justice system. The program is a 2-year pilot program. **Effective: May 19, 2022.** Lobbyist: Meghan Dollar.

HB22-1169

Prohibit Sexual Act Without Consent

<https://leg.colorado.gov/bills/hb22-1169>

Under current law, sexual assault can be committed by means of sexual intrusion or penetration when the actor causes submission of the victim by means sufficient to cause submission against the victim's will. The bill changes that element to when the actor causes sexual intrusion or sexual penetration knowing the victim does not consent. **Effective: March 24, 2022.** Lobbyist: Meghan Dollar.

HB22-1119

Colorado False Claims Act

<https://leg.colorado.gov/bills/hb22-1119>

The Colorado False Claims Act gives the attorney general the power to investigate false claims for money or property made to the state and political subdivisions. The attorney general can file civil actions to recover amounts paid plus a penalty; any local funds recovered are paid to the local government. Private persons can file a civil action to prosecute the same claims, subject to the state's intervention. The attorney general or private persons can bring claims for retaliation against a person for lawful acts done to support a false claims action or to stop a false claim or what the person reasonably believes is a false claim. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1224

Public Benefits Theft

<https://leg.colorado.gov/bills/hb22-1224>

The act creates elements of a "theft" offense for intentionally misrepresenting or withholding material facts for determining eligibility for a public benefit (such as public services or aid provided through government money) for which the person is not eligible. **Effective: July 1, 2022.** Lobbyist: Meghan Dollar.

HB22-1229

SB21-271 Clean-Up

<http://leg.colorado.gov/bills/hb22-1229>

Senate Bill 21-271 created a civil infraction as a penalty for violations of the law that do not rise to criminal conduct and set forth procedures for those civil infractions. The act repeals the procedural provisions and replaces them with new procedures for handling civil infractions. **Effective: April 7, 2022.** Lobbyist: Meghan Dollar.

HB22-1240

Mandatory Reporters

<https://leg.colorado.gov/bills/hb22-1240>

The act creates the mandatory reporter task force to analyze best practices and recommend changes to training materials and reporting procedures for people required by law to report child abuse or neglect, including:

- The effectiveness of mandatory reporting and its relationship with systemic issues, including the disproportionate impact of mandatory reporting on under-resourced communities, communities of color, and persons with disabilities;
- The definition of "immediately" and how reporting time frames affect mandatory reporters from different professions;
- Reporting time frames for mandatory reporters who are creating a safety plan for victims of domestic violence, sexual assault, or stalking to ensure the safety of the victim and the victim's family members while creating the safety plan;

- Medical child abuse and the process to report medical child abuse;
- A reporting process for 2 or more mandatory reporters to report child abuse or neglect who have joint knowledge or joint reasonable cause to make a report of child abuse or neglect; and
- Whether institutions that employ mandatory reporters may develop procedures to assist mandatory reporters in meeting reporting requirements.

The task force may propose clarifications to the law to help implement its recommendations. The task force operates for 2 years. The task force shall submit a final report on its findings and recommendations on January 1, 2025, to the House of Representatives Public and Behavioral Health and Human Services Committee and the Senate Health and Human Services committee, or their successor committees, the Governor, and the Department of Human Services. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1256

Modifications to Civil Involuntary Commitment

<https://leg.colorado.gov/bills/hb22-1256>

Current law sets forth emergency procedures to transport a person for a screening and to detain a person for a 72-hour treatment and evaluation if the person appears to have a mental health disorder, and because of the mental health disorder, appears to be an imminent danger to the person's self or others, or appears to be gravely disabled. Current law also sets forth procedures to certify a person for short-term or long-term care and treatment if the person has a mental health disorder, and because of the mental health disorder, is a danger to the person's self or others, or is gravely disabled. The act modifies these procedures by:

- Limiting who can take a person into protective custody and transport the person to an outpatient mental health facility.
- Requiring the facility where the person is transported to require an application, in writing, stating the circumstances and specific facts under which the person's condition was called to the attention of a certified peace officer or emergency medical services provider.
- Establishing certain rights for a person being transported, which must be explained prior to transporting the person.
- Subjecting a person who files a malicious or false petition for an evaluation of a respondent to criminal prosecution.
- Authorizing a certified peace officer to transport a person to an emergency medical services facility even if a warrant has been issued for the person's arrest, if the certified peace officer believes it is in the best interest of the person.
- Authorizing an intervening professional or certified peace officer to initiate an emergency mental health hold at the time of screening the respondent.

- Authorizing a secure transportation provider to take a respondent into custody and transport the person to an EMS facility or designated facility for an emergency mental health hold.

The bill establishes certain rights for a person transported or detained for an emergency mental health hold or certified on an outpatient basis. The bill modifies current rights for a person certified for short-term or long-term care and treatment on an inpatient basis. Contains numerous other provisions, including those that change the obligations of peace officers in these types of circumstances and require the State to provide training to peace officers. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1257

2022 Criminal and Juvenile Justice Commission Recommendations

<https://leg.colorado.gov/bills/hb22-1257>

The act makes certain modifications to sentencing reform provisions enacted through Senate Bill 21-271, which took effect March 1, 2022, primarily regarding previous felony offenders who are not permitted to possess a weapon. In addition, the act modifies probation officer arrest authority, requires the probation division to use a system of individualized behavioral responses, and creates and modifies certain crimes, including but not limited to public benefits theft and practicing a regulated profession without a license. **Effective: April 7, 2022.** Lobbyist: Meghan Dollar.

HB22-1288

Safe Reporting Assaults Suffered by Sex Workers

<https://leg.colorado.gov/bills/HB22-1288>

Under HB22-1288, sex workers who experience violence, stalking, and other criminal behavior are granted immunity from prostitution charges, including equivalent municipal charges, if they report those crimes to police. **Effective: May 2, 2022.** Lobbyist: Meghan MacKillop.

HB22-1344

FDA-approved Prescription 3,4-Methylenedioxymethamphetamine Drug Use

<https://leg.colorado.gov/bills/hb22-1344>

Under current law, 3,4-methylenedioxymethamphetamine (MDMA) is a schedule I controlled substance. The act specifies that prescription drugs containing MDMA, approved by the federal Food and Drug Administration, and placed on a schedule other than schedule I, are legal to prescribe, dispense, transport, possess, and use in Colorado as a treatment for post-traumatic stress disorder. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

HB22-1371

Remove Peace Officer Residency Requirement

<https://leg.colorado.gov/bills/hb22-1371>

Current law requires a peace officer to be a bona fide Colorado resident. The bill removes that requirement. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1373

Court-ordered Restitution Paid by Juveniles

<https://leg.colorado.gov/bills/hb22-1373>

The act prohibits juvenile courts from ordering juveniles to pay restitution to an insurance company. A court may still order a juvenile to pay restitution to a victim for the portion of a victim's pecuniary loss from which a victim cannot be compensated under an insurance policy. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

SB22-001

Crime Prevention through Safer Streets

<https://leg.colorado.gov/bills/sb22-001>

The act creates the Crime Prevention Through Safer Streets Grant Program in the Department of Public Safety (DPS). The grant program is intended to assist DPS and local governments to evaluate and design safer streets and neighborhood models that discourage crime. **Effective: May 19, 2022.** Lobbyist: Meghan Dollar.

SB22-005

Law Enforcement Agency Peace Officer Services

<https://leg.colorado.gov/bills/sb22-005>

The act modifies and appropriates additional funds to the existing Peace Officers Behavioral Health Support and Community Partnerships Grant Program in the Department of Local Affairs (DOLA). Specifically, it expands the scope of the Peace Officers Behavioral Health Support and Community Partnerships Grant Program in DOLA to allow grantees to hire, contract, or develop a remote network to provide behavioral health counseling, therapy, or other services for officers involved in job-related traumatic situations. **Effective: May 31, 2022.** Lobbyist: Meghan Dollar.

SB22-009

Recertification and Theft of Catalytic Converters

<http://leg.colorado.gov/bills/sb22-009>

The act makes changes to various regulations related to catalytic converters, which are elements of a car's exhaust system that make exhaust gas less polluting. SB22-009 extends the scope of current laws addressing commodity metal theft to include theft of catalytic converters and expands the scope of duties of the task force to include considerations of catalytic converter theft. With regard to current statute that prohibits the operation of motor vehicle chop shops, the act adds catalytic

converters to the definition of "major component motor vehicle part." The act also applies current record keeping requirements for commodity metals to business transactions involving catalytic converters. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

SB22-024

Intimidating Witness Changes

<https://leg.colorado.gov/bills/sb22-024>

The act expands the ways that intimidating a witness may be committed by stating that the threat or act that constitutes intimidation can be directed at a person the perpetrator believes may have information relevant to a criminal investigation or a person the perpetrator believes may be able to exert influence upon a witness or victim. It also adds that the crime of intimidating a witness can be committed by intentionally attempting to influence, or actually influencing, a witness, victim, or any other person with knowledge of relevant information to withhold information from, or provide false information to, law enforcement, a defense attorney, or defense investigator. **Effective: March 17, 2022.** Lobbyist: Meghan Dollar.

SB22-095

Improving Missing Persons Reports

<https://leg.colorado.gov/bills/sb22-095>

The act requires any law enforcement agency to accept a missing person report submitted in person if the missing person is a Colorado resident or was last believed to be in Colorado. The act adds circumstances in which a law enforcement agency is not required to accept a missing person report. The act requires law enforcement agencies to accept a missing person report by telephone or other electronic media if accepting the report by those means is consistent with the agency's policies or practices. Under existing law, a law enforcement agency that receives a report of a missing adult must enter relevant information into state and national databases and communicate with other law enforcement agencies after the person has been missing for 24 hours or more; in the case of a reported missing child, a law enforcement agency must notify the Colorado bureau of investigation within 24 hours. SB22-095 reduces those times to within 8 hours in the case of a missing adult and within 2 hours in the case of a missing child and requires the law enforcement agency to enter relevant information into the Colorado Crime Information Center database. **Effective April 7, 2022.** Lobbyist: Meghan Dollar.

SB22-100

Continue Domestic Fatality Review Board

<https://leg.colorado.gov/bills/sb22-100>

This act extends the repeal date of the Domestic Violence Fatality Review Board from September 1, 2022, to September 1, 2027, pending a sunset review. The board is required to provide technical assistance and training to local governments; provide coordination between local governments and organizations to assist with domestic violence prevention and responses to fatalities; pursue and implement policy recommendations identified in the previous year; and make a recommendation in its 2022 annual report on how diversity, equity, and inclusion training could be provided for certain entities involved in domestic violence response. **Effective: May 2, 2022.** Lobbyist: Meghan Dollar.

SB22-113

Artificial Intelligence Facial Recognition

<https://leg.colorado.gov/bills/sb22-113>

This bill creates a task force that will study issues relating to the use of facial recognition services (FRS), including reporting on the current use of such services by local government agencies and making recommendations about the extent to which they should be permitted to do so. Local government agencies that use or intend to use FRS must file a notice of intent with their council and specify the purpose for using the technology; produce an accountability report as detailed in the bill; allow for public review and comment on the accountability report, including at least three public meetings; and post the final report on the agency's public website, as well as submit it to their council. The bill provides a process for seeking to use FRS for a purpose not disclosed in the agency's accountability report as well as exceptions for when an accountability report is not required. FRS does not include the use of an automated or semiautomated process by law enforcement to redact recordings if the process does not result in the retention of any biometric data or surveillance information. The bill also sets forth other exceptions for which the FRS requirements do not apply. If an agency is using FRS, it must conduct "meaningful human review" under certain circumstances; must test the FRS before use; conduct periodic training of all individuals who operate FRS or process data from use of FRS; and maintain records of FRS use. Finally, the bill sets forth specific prohibited uses of FRS by law enforcement and requirements for disclosure of use of FRS on a criminal defendant prior to trial, as well as to its council on an annual basis. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

SB22-145

Resources to Increase Community Safety

<https://leg.colorado.gov/bills/sb22-145>

The act establishes three new grant programs within the Department of Public Safety. First, a multidisciplinary crime prevention and crisis intervention grant program to award grants to law enforcement, other local governmental agencies, federally recognized Indian tribes, community-based organizations, and third-party membership organizations or administrators to identify high-crime areas and to implement crime prevention and intervention strategies in those areas. Second, a law enforcement workforce recruitment, retention, and tuition grant program to award grants to law enforcement agencies to address workforce shortages, improve training, and improve relationships between law enforcement and impacted communities. Finally, it creates a state's mission for assistance in recruitment and training (SMART) policing grant program to increase the number of P.O.S.T.-certified and non-certified law enforcement officers who are representative of the communities they police and provide training for those additional law enforcement officers. **Effective: May 20, 2022.** Lobbyist: Meghan Dollar.

See also: SUBSTANCE ABUSE (HB22-1326: Fentanyl Accountability and Prevention).

Economic DEVELOPMENT

HB22-1187

Office Of Economic Development COVID Relief Program Extension

<https://leg.colorado.gov/bills/hb22-1187>

The act extends three programs housed in the Office of Economic Development and International Trade as follows:

- COVID-19 Relief Programs for Small Businesses—the deadline for spending authority related to technical assistance is extended to December 31, 2023, from the current deadline of June 30, 2022.
- Small Business Accelerated Growth Program—the application deadline is extended to October 31, 2023, rather than the current deadline of December 31, 2022.
- Meetings and Events Incentive Program—the deadline for eligible events to occur under the incentive program is extended to June 30, 2024, rather than the current law deadline of December 31, 2022, and the reporting deadline for the program is extended to July 1, 2025. **Effective: March 7, 2022.** Lobbyist: Meghan MacKillop.

HB22-1328

Modify Main Street Business Recovery Loan Program

<https://leg.colorado.gov/bills/hb22-1328>

The act makes several changes to the Small Business Recovery Loan Program created by HB20-1413 and extends the program through December of 2040. The loan program is expanded to include businesses that have one or more employees—a reduction from five employees—and one year of positive cash flow. The act also decreases the minimum amount of a loan from \$30,000 to \$10,000 and extends the length of maximum initial maturity from 10 to 5 years. Changes are also made to Small Business Recovery Insurance Premium Tax Credits. **Effective: June 3, 2022.** Lobbyist: Meghan MacKillop.

HB22-1350

Regional Talent Development Initiative Grant Program

<https://leg.colorado.gov/bills/hb22-1350>

The act creates the Regional Talent Development Initiative Grant Program in the Office of Economic Development and International Trade to develop or expand talent development initiatives in identified regions of the state. The program is intended to meet workforce development needs; create pathways between K-12 education, higher education, and employment; provide opportunities for regional learners to gain economic mobility and earn a living wage; and meet regional labor market needs. Local governments are eligible to apply for grants. **Effective: May 31, 2022.** Lobbyist: Meghan MacKillop.

HB22-1356

Small Community-based Nonprofit Grant Program

<http://leg.colorado.gov/bills/hb22-1356>

The act creates the Small Community-based Nonprofit Infrastructure Grant Program in the Division of Local Government of the Department of Local Affairs to provide grants to eligible recipients for infrastructure and capacity building. Eligible recipients are small community-based nonprofit organizations that have been impacted by the COVID-19 public health emergency. Grant awards may not exceed 30 percent of a recipient's annual operating budget and are capped at \$100,000. Recipients may use award money for infrastructure and capacity building purposes, including data technology needs, professional development, strategic planning, communications, and exiting program expansion, development, or evaluation. **Effective: June 3, 2022.** Lobbyist: Meghan MacKillop.

HB22-1394

Fund Just Transition Community and Worker Supports

<http://leg.colorado.gov/bills/hb22-1394>

The act appropriates \$5 million to the Just Transition Program and \$10 million to the Coal Transition Worker Assistance Program. These programs assist with economic development in just transition areas. **Effective: June 8, 2022.** Lobbyist: Meghan MacKillop.

HB22-1382

Support Dark Sky Designation and Promotion In Colorado

<http://leg.colorado.gov/bills/hb22-1382>

The act creates the Colorado Dark Sky Designation Technical Assistance Grant Program in the Colorado Tourism Office to provide technical assistance grants to applicants applying to the International Dark-Sky Association to have a community or place designated as an International Dark-Sky Place. The International Dark-Sky Association provides tools and resources to reduce light pollution and promote responsible outdoor lighting. Upon designation, the International Dark-Sky Association works with International Dark-Sky Places on promotion through media relations, member communications, and social media. An International Dark-Sky Place designation helps enhance the visibility of designated locations and can be a tool to help foster increased tourism and local economic activity. **Effective: May 27, 2022.** Lobbyist: Heather Stauffer.

HB22-1408

Modify Performance-based Incentive for Film Production

<http://leg.colorado.gov/bills/hb22-1408>

The act creates the Film Incentive Task Force to conduct a study and prepare a report with recommendations on how to make the performance-based incentive for film production in Colorado more effective. The task force will include two members from the House of Representatives, two members from the Senate, one representative of the Motion Picture Association, one representative of the film and television production sector, and the Director of the Office of Film, Television, and Media within the Colorado Office of Economic Development. The task force is required to submit its report to the legislature by January 1, 2023. The Executive Director of the Office of Economic Development may authorize the approval or issuance of an incentive in an amount that exceeds the current statutory limit of 20 percent of qualifying local expenditures for a production company at the director's discretion. **Effective: June 3, 2022.** Lobbyist: Meghan MacKillop.

HB22-1409

Community Revitalization Grant Program Funding

<http://leg.colorado.gov/bills/hb22-1409>

The act appropriates \$20 million to the Community Revitalization Grant Program, which was created in 2021 to provide grants to create or revitalize mixed-use commercial centers, including projects that would combine revitalized or new commercial spaces with public or community spaces.

Effective: June 3, 2022. Lobbyist: Meghan MacKillop.

SB22-215

Infrastructure Investment and Jobs Act Cash Fund

<https://leg.colorado.gov/bills/sb22-215>

Colorado is expected to receive approximately \$3.5 billion through federal Bipartisan Infrastructure Legislation, and the state may be eligible for additional funding through competitive grants by providing non-federal matching funds. The federal legislation specifies that non-federal matching funds will be required for at least 40 percent of these programs, but exact matching amounts are not specified. This act creates the Infrastructure Investment and Jobs Act Cash Fund to provide these matching funds for infrastructure projects. Subject to approval by the Governor, a state department may award matching funds to local governments for transportation infrastructure projects; water, environmental, and resiliency projects; power, grid, and broadband projects; and any other infrastructure projects explicitly outlined in the federal act. The act dedicates 10 percent of the funding to local match support. The Governor's Office must develop a process for departments and local governments to apply for funds and for reviewing and approving applications, and must submit an annual report beginning October 1, 2022, and each year thereafter, to the Joint Budget Committee and relevant legislative committees. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

ELECTIONS

HB22-1086

The Vote Without Fear Act

<https://leg.colorado.gov/bills/hb22-1086>

The act makes it unlawful for any person to openly carry a firearm within any polling location, or within one hundred feet of a drop box or any building in which a polling location is located on the day of any election or during the time when voting is permitted for any election. The designated election official responsible for any central count facility, polling location, or drop box involved in that election cycle shall visibly place a sign notifying persons of the one-hundred foot no open carry zone for firearms. If a municipal building hosts a polling location or a drop box for a Title 1 election, including a coordinated election, the municipal facility is subject to the requirements of the bill. The prohibition on open carry does not apply to a uniformed security guard employed by a facility, a peace officer, or to person carrying their own firearm on their private property within the 100-foot area. **Effective: March 30, 2022.** Lobbyist: Heather Stauffer.

HB22-1156

Public Official Reporting Requirements Modification

<http://leg.colorado.gov/bills/hb22-1156>

Under the Fair Campaign Practices Act, the committees of candidates for county, special district, and municipal offices must submit a post-election report 30 days after the primary election, where applicable, and 30 days after the major election in election years. The act changes this deadline to 35 days after the primary election and the major election in election years. The act also exempts a political party from having to file a report during the off-election year. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

HB22-1273

Protections for Elections Officials

<https://leg.colorado.gov/bills/hb22-1273>

The act makes it unlawful for any person to threaten, coerce, or intimidate an election official with the intent to impede or interfere with the performance of their election duties or retaliate against an election official for the performance of their duties. The act also makes it unlawful for a person to knowingly make available on the internet personal information about an election official or an election official's immediate family if the dissemination of personal information poses an imminent and serious threat to their safety. An election official is defined as a municipal clerk, an election judge, a member of a canvassing board, a representative of a governing body, or any other person contracted for or engaged in the performance of election duties. The act further specifies that an election worker may submit a written request to a state or local government

official to remove the election worker's personal information from records that are available on the internet. If a state or local government official receives the written request, then the state or local government official shall not knowingly make available on the internet personal information about the election worker. The act also prohibits the disclosure of such personal information in a written request under CORA with some exceptions for mortgage servicers and attorneys engaged in real estate matters. **Effective: June 2, 2022.** Lobbyist: Heather Stauffer.

SB22-152

Residence of a Voter Whose Home is Destroyed

<https://leg.colorado.gov/bills/sb22-152>

If a residence of an elector is destroyed or becomes uninhabitable, due to a natural disaster or for any other reason, and the elector has the present intention of returning to the residence once it is habitable or newly constructed, the elector may continue to use the address of the destroyed or uninhabitable residence as the elector's residence for purposes of voting. This applies to both state and municipal elections.

Effective: April 13, 2022. Lobbyist: Heather Stauffer.

SB22-153

Internal Election Security Measures

<https://leg.colorado.gov/bills/sb22-153>

The act makes several changes to Title 1 state and county elections regarding election security. The act does not impact Title 31 municipal elections but will have an impact on municipalities that choose to coordinate their elections with the county. The act establishes specific security requirements for voting equipment. The act requires that county clerks, designated election officials for county and coordinated elections, and employees in the secretary of state's office receive training and certification prior to conducting elections. The act specifies that a person shall not serve as a designated election official for a county or coordinated election if that person has been convicted of any election offenses in Article 13 of Title 1 or has been convicted of committing or conspiring to commit sedition, insurrection, treason, or conspiracy to overthrow the government.

The act requires use of mechanical voting system tabulation for counties over 1,000 active electors. The act also makes it illegal for a county to create, permit the creation of, or disclose any images of the hard drive of any voting system without the permission of the Department of State. The act also makes tampering with voting equipment, or publishing passwords or other confidential information related to a voting system a class 5 felony.

By June 31, 2023, the designated election official of a county or coordinated election is required to keep all components of a voting system in a location where entry is controlled by key card access system, with video surveillance, if not stored at a voting service and polling center. There is a grant program created to

help counties come into compliance with these requirements. The act also states that if a majority of a canvass board in a county is unable to or does not certify the abstract of votes for any reason by the deadline, the secretary of state shall review the abstract and written report and can, when appropriate, certify the results for the county. **Effective: June 2, 2022.** Lobbyist: Heather Stauffer.

SB22-237

Ballot Measure Campaign Finance

<https://leg.colorado.gov/bills/sb22-237>

The act makes specific changes to the governance of issue committees and contribution limits under the Fair Campaign Practices Act. The act expands the definition of "earmark" to include contributions or expenditures greater than \$1,000 to support or oppose a specified ballot issue or ballot question. It also adds criteria and further clarifies the process to determine whether an organization is an issue committee to include: contributions taking place in the current or proceeding two calendar years in which a contribution to one or more statewide Colorado issues committees or direct ballot issues or ballot question expenditures exceeded 30% of the total dollar amount of all funds spent by the organization; contributions taking place in the current or proceeding two calendar years in which a contribution to a single statewide Colorado issues committees or direct ballot issues or ballot question expenditures exceeded 20% of the total dollar amount of all funds spent by the organization; or an organization acting as an issue committee's funding intermediary by making contributions to an issue committee from funds earmarked for the issue committee.

The act further defines "Direct Ballot Issues or Ballot Question Expenditure" to mean direct spending in support of opposition to any single ballot issue or question by a person who does not meet the requirements of an issue committee and specifies that contributions to an issue committee are not direct ballot issues or ballot question expenditures. Finally, the act requires any person who expends \$5,000 in aggregate in a calendar year on a direct ballot issue or ballot question expenditure to disclose their name in certain communications about a ballot issue or ballot question. **Effective: June 7, 2022.** Lobbyist: Heather Stauffer.

Employment and LABOR

HB22-1041

Privacy Protections for Protected Persons

<http://leg.colorado.gov/bills/hb22-1041>

The act adds child representatives, code enforcement officers, health-care workers, mortgage servicers, and office of the respondent parents' counsel staff members and contractors to the list of protected persons whose personal information may be withheld from the internet if the protected person believes dissemination of such information poses an imminent and serious threat to the protected person or the safety of the protected person's immediate family. The act also adds a protected person's full name and home address to the list of personal information that the protected person's written request for removal must include and prohibits the disclosure of such personal information in response to a written request under CORA. Finally, the act authorizes access to records maintained by a county recorder, county assessor, or county treasurer for certain individuals if such access is related to a real estate matter. **Effective: March 24, 2022.** Lobbyist: Meghan Dollar.

HB22-1112

Workers' Compensation Injury Notices

<https://leg.colorado.gov/bills/hb22-1112>

Current law requires an injured employee or someone else with knowledge of the injury to notify the employer within 4 days after the occurrence of an on-the-job injury, authorizes a reduction in compensation to the injured employee for failure to timely notify the employer, and tolls the 4-day period if the employer has failed to post a notice specifying the injured employee's notification deadline. The act changes the 4-day notice period to a 10-day notice period and repeals the tolling and compensation reduction provisions. If an employer fails to provide a copy of the notice of the injury to the employee or fails to post the required notice to employees, the bill specifies that the time allotted to the employee is tolled for the duration of the failure. If the employer already has notice of the injury or the employee shows good cause for the failure to report the injury, the employee does not lose compensation for the failure to report.

The act also changes the notice that an employer must post in the workplace to require that the notice state the name and contact information of the insurer and that the:

- Employer is responsible for payment of workers' compensation insurance;
- Injured employee has rights under the law if the employer fails to carry workers' compensation insurance;
- Employee should seek medical attention; and
- Injury must be reported in writing to the employer.

The act also:

- Repeals the requirement that an employee notify the employer of an occupational disease within 30 days of contraction of the disease and instead requires an employee to notify the employer upon manifestation of the disease.
- Repeals the provision that states that an employer is deemed to waive a failure to give notice of an occupational disease or death resulting from the disease unless the employer objects at a hearing on the claim prior to any award or decision. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1317

Restrictive Employment Agreements

<https://leg.colorado.gov/bills/hb22-1317>

The act declares that a covenant not to compete that restricts the right of any person to receive compensation for performance of labor for any employer is void, with certain exceptions. One exception is for a covenant not to compete governing a person who, at the time the covenant not to compete is entered into and at the time it is enforced, earns an amount of annualized cash compensation equivalent to or greater than the threshold amount for highly compensated workers, if the covenant not to compete is for the protection of trade secrets and is no broader than is reasonably necessary to protect the employer's legitimate interest in protecting trade secrets. Additionally, if the employer provides proper notice of the restrictive employment agreement or covenant not to compete to the worker or prospective worker, the following agreements or covenants are not prohibited:

- A provision providing for recovery of certain expenses of educating and training a worker over the course of the two years after the training and must be proportionate to the number of months that have passed since completion of the training.
- A reasonable confidentiality provision relevant to the employer's business that does not prohibit disclosure of information that arises from the worker's general training, knowledge, skill, or experience, whether gained on the job or otherwise, information that is readily ascertainable to the public, or information that a worker otherwise has a right to disclose as legally protected conduct.

The act also prohibits an employer from entering into, presenting to a worker or prospective worker as a term of employment, or attempting to enforce any covenant not to compete that is void under the bill. An employer who violates this provision is subject to a penalty of \$5,000 for each worker or prospective worker, injunctive relief, and actual damages.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

HB22-1347

Workers' Compensation Updates

<https://leg.colorado.gov/bills/hb22-1347>

The act amends the "Workers' Compensation Act of Colorado" by creating a process for a claimant to receive advance payment

for mileage expenses for travel that is reasonably necessary and related to obtaining compensable treatment, supplies, or services. The act also specifies how to determine the benefit amount for medical impairment when the amount payable using the schedule of injuries would exceed the amount payable for nonscheduled injuries. Additionally, it increases the benefit payable for funeral and burial expenses and requires reporting of active medical treatments necessary to cure and relieve an injury lasting for a period of more than 180 calendar days after the date of the injury. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1354

Protecting Injured Workers' Mental Health Records

<https://leg.colorado.gov/bills/hb22-1354>

The act clarifies provisions in the "Workers' Compensation Act of Colorado" related to the release and disclosure of mental health records pertaining to an injured employee making a claim under the act. It defines mental health records and puts additional requirements on providers, including prohibiting the disclosure of mental health records. Allows for their release in some circumstances. Contains numerous other provisions.

Effective: June 8, 2022. Lobbyist: Meghan Dollar.

HB22-1367

Updates to Employment Discrimination Laws

<https://leg.colorado.gov/bills/hb22-1367>

Current law limits the damages that may be recovered in a civil action involving an intentional discriminatory or unfair employment practice based on age to those damages available under the equivalent Federal laws. The act removes that limitation and allows a plaintiff to recover compensatory and punitive damages as with any other discrimination claim under state law. In addition, the act extends the current limit on the jurisdiction of the Colorado Civil Rights Commission over a complaint of discrimination if a notice of hearing is not served from 270 to 450 days. The act also extends the time for filing a complaint of discrimination from 6 months to 300 days.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

HB22-1383

Employment Opportunities for Juveniles

<https://leg.colorado.gov/bills/hb22-1383>

The act prohibits employers (excluding state law enforcement and political subdivisions) from asking for or seeking an applicant's arrest, detention, processing, diversion, supervision, adjudication, or court disposition record if the record occurred when the applicant was under the jurisdiction of the juvenile court. These prohibitions do not apply to employers screening applicants who have direct contact with vulnerable persons or who will work at a licensed childcare center. An "agency" is prohibited from denying employment to or taking adverse action against an applicant based on a delinquent act adjudicated in a juvenile proceeding.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

SB22-076

Complaint Occupational Licenses Official Acts

<https://leg.colorado.gov/bills/sb22-076>

The act requires the Department of Regulatory Agencies (DORA) to dismiss an anonymous complaint made against a person holding an occupational license, certificate, or registration if the complaint arises from words said, or actions committed, while they were an elected official of the state of, or political subdivision of, Colorado, or a member of a board or commission established by the state of, or political subdivision of, Colorado. If the complaint is not made anonymously, DORA may dismiss the complaint. If a complaint is dismissed, the subject of the complaint does not need to respond to or provide evidence concerning the complaint. The bill does not apply to words or actions that occur during their duties as a regulated professional. **Effective: April 7, 2022.** Lobbyist: Meghan Dollar.

SB22-097

Whistleblower Protection Health and Safety

<https://leg.colorado.gov/bills/sb22-097>

The act expands protections for workers who, in good faith, report concerns about threats to workplace health and safety, or violations of workplace health and safety rules, to their employers. Current law only protects retaliation against reports related to a public health emergency. Employers in violation of the law can be liable for damages, including punitive damages, and attorney's fees. Employers must update workplace posters regarding these protections. **Effective: May 31, 2022.** Lobbyist: Meghan Dollar.

SB22-139

Juneteenth State Holiday

<https://leg.colorado.gov/bills/sb22-139>

The act creates a new state holiday for Juneteenth, to be observed June 19 each year. The act does not extend the holiday automatically to local governments. **Effective: May 2, 2022.** Lobbyist: Meghan Dollar.

SB22-161

Wage Theft Employee Misclassification Enforcement

<https://leg.colorado.gov/bills/sb22-161>

The act changes laws and enforcement procedures pertaining to wage claims, to be enforced by the Department of Labor and Employment. It also establishes the Worker and Employee Unit in the Department of Law to investigate and enforce wage theft, unemployment insurance, and misclassification of employees, and workplace safety claims under specified circumstances.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

SB22-234

Unemployment Compensation

<https://leg.colorado.gov/bills/sb22-234>

The act makes several changes to unemployment compensation laws. This summary specifically includes the section that applies to public employers. Section 5 requires that, at the time of separation from an employer, the employer shall provide each employee, in writing, information about the availability of unemployment compensation, including:

- The employer's name and address;
- The employee's name and address;
- The employee's identification number of the last four numbers of the employee's social security number;
- The employee's start date, date of last day worked; and
- The reason the employee separated from the employer.

Effective: May 25, 2022. Lobbyist: Meghan Dollar.

See also: CRIMINAL JUSTICE (HB22-1119: Colorado False Claims Act); WILDFIRE (SB22-002: Resources for Volunteer Firefighters); TRANSPORTATION (HB22-1026: Alternative Transportation Options Tax Credit).

ENERGY

SB22-110

Equip Wind Turbine Aircraft Detection Lighting System

<http://leg.colorado.gov/bills/sb22-110>

The act requires the owner or operator of any new wind-powered energy generation facility subject to land-use permitting requirements to install lighting mitigating technology. The bill authorizes a board of county commissioners to impose by ordinance a civil penalty for violations. Any contiguous counties and any municipalities in those counties may enter into an intergovernmental agreement for a shared ordinance.

Effective: August 9, 2022. Lobbyist: Meghan MacKillop.

GAMING

HB22-1402

Responsible Gaming Grant Program

<https://leg.colorado.gov/bills/hb22-1402>

The act creates the Responsible Gaming Grant Program in the Department of Revenue to promote responsible gambling and address problem gambling. The Limited Gaming Control Commission, in collaboration with the Behavioral Health Administration, must administer the program and award grants. The act also creates an exclusion program for gambling, and allows for non-cash payments for lottery, with the goal of being able to better track the sales for problem gambling. The act modifies the amount of free bets that may be deducted from net

sports betting proceeds. The effect of this change will increase the amount of money going towards the Colorado Water Plan.

Effective: August 10, 2022. Lobbyist: Jaclyn Terwey.

HB22-1412

Sunset Division of Gaming

<https://leg.colorado.gov/bills/hb22-1412>

This act continues the Division of Gaming through 2033 with minor amendments to the current structure. Most notably for local governments outside of our three gaming cities and towns, the commission may determine whether unlicensed sports betting or limiting gaming is occurring in any city or county in the state, and prohibit sports betting or games authorized as limiting gaming to the public without a license. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

SB22-216

Reallocation of Limited Gaming Revenues

<https://leg.colorado.gov/bills/sb22-216>

The act reallocates gaming tax revenues between limited and extended gaming following House Bill 20-1400 that fixed allocations in response to the steep decrease in gaming tax revenue after the onset of the pandemic. The act creates a working group comprised of the Division of Gaming, the Governor's Office of Planning and Budgeting, the State Historical Society, the Community College System, and representatives from each gaming community to ascertain the availability of data and the potential to analyze the allocation of revenues attributed to limited and extended gaming. The working group will prepare a written report of its findings for the Joint Budget Committee by November 1, 2022. The act also includes a \$1.25 million appropriation to be allocated to the gaming cities and counties depending on any shortfall in distributions to the communities because of the act. **Effective: June 7, 2022.** Lobbyist: Jaclyn Terwey.

Governmental IMMUNITY

HB22-1272

Repeal of Attorney Fees on Motions to Dismiss

<https://leg.colorado.gov/bills/hb22-1272>

Under current law, a defendant, including local governments, may be awarded reasonable attorney fees in tort actions if the defendant files a successful motion to dismiss the case. The act creates an exception to this rule in cases in which a plaintiff puts forth a good faith, non-frivolous claim for the express purpose of extending, limiting, modifying, or reversing existing precedent, law, or regulation; or for the express purpose of establishing the meaning, lawfulness, or constitutionality of a law which has not been determined by the Colorado Supreme Court or the United States Supreme Court. **Effective: June 8, 2022.** Lobbyist: Heather Stauffer.

LAND USE

HB22-1139

HOA Cannot Regulate Public Rights-of-Way

<https://leg.colorado.gov/bills/hb22-1139>

The act prohibits a common interest community's unit owners' association from prohibiting the use of a public right-of-way in a manner that is otherwise allowed by a local law or franchise. Additionally, the association cannot require that a public right-of-way be used in a certain manner. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

SB22-208

Condemned Conservation Easement Property Compensation

<https://leg.colorado.gov/bills/sb22-208>

The act requires that just compensation for condemnation of a property encumbered by a conservation easement be determined as if the property were not encumbered by the conservation easement if the conservation easement is destroyed or subordinated. **Effective: June 7, 2022.** Lobbyist: Meghan Dollar.

MARIJUANA

HB22-1037

Retail and Medical Marijuana Same Location

<https://leg.colorado.gov/bills/hb22-1037>

Prior to the passage of Senate Bill 19-224, the sunset bill for regulated marijuana, state law allowed a person to operate a licensed medical marijuana business and a licensed retail marijuana business at the same location if allowed by the local jurisdiction. This act reinstates that provision beginning January 1, 2023. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1222

Marijuana Responsible Vendor Designations

<https://leg.colorado.gov/bills/hb22-1222>

Under the act, a licensed employee, manager, or controlling beneficial owner may receive a responsible vendor designation after completing the training. If all the employees, managers, and controlling beneficial owners of a marijuana business have a responsible vendor designation, the business is considered to have the designation. The act sets procedures for new staff to complete the training and for staff to take the designation to a new employer. Employers and businesses must maintain records of their training. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

SB22-178

Licensees Ability to Change Marijuana Designation

<https://leg.colorado.gov/bills/sb22-178>

The act allows a medical marijuana cultivation facility licensee to transfer medical marijuana to a retail marijuana cultivation licensee and change the product designation from medical to retail marijuana if the facilities share at least one controlling beneficial owner. The facility must also notify the local licensing authority that they are going to transfer to a retail cultivation facility and pay any applicable excise tax on the transferred retail marijuana. **Effective: May 26, 2022.** Lobbyist: Jaclyn Terwey.

Municipal COURTS

HB22-1067

Clarifying Changes to Ensure Prompt Bond Hearings

<https://leg.colorado.gov/bills/hb22-1067>

Starting January 1, 2023, municipal courts are required to hold a bond hearing within 48 hours for a person jailed only on a municipal hold, regardless of whether the deadline falls on a weekend or holiday. The 48-hour clock begins once the jail notifies the municipal court that a person is being held solely on the basis of a municipal hold, and the jail must ensure that the person is made available for the hearing. There are exceptions if the defendant refuses or is unable to attend the hearing in certain circumstances. **Effective: May 26, 2022.** Lobbyist: Meghan MacKillop.

HB22-1131

Reduce Justice-involvement for Young Children

<https://leg.colorado.gov/bills/hb22-1131>

The act creates a 32-member Pre-adolescent Services Task Force in the Department of Human Services to examine gaps in services for juveniles aged 10 to 13 if the minimum age of prosecution of juveniles is increased from 10 to 13. The task force must convene by August 1, 2022, and make recommendations to the General Assembly by December 30, 2022. Members of the task force include four members of the General Assembly, a representative from the Division of Criminal Justice in the Department of Public Safety, a law enforcement representative, a district attorney, a public defender, a representative with experience providing probationary services, and other experts in the field, as well as people who have experienced incarceration as juveniles. The task force reveals July 1, 2023. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

SB22-018

Expand Court Reminder Program

<http://leg.colorado.gov/bills/sb22-018>

The state court administrator currently operates a voluntary court reminder program to remind people of scheduled court appearances. The court reminder system is available to district, county, and municipal courts that use the Colorado Online Network (ICON) on the Judicial Department's case management system. The act requires participating courts to automatically enroll every criminal defendant and juvenile participant into the program but allow individuals to opt out of the program. The act also requires the state court administrator to convene a working group to study court reminder best practices, assess the effectiveness of the court reminder program and make recommendations for changes and improvements. The working group must convene by September 30, 2022, and meet quarterly through June 30, 2025. The Judicial Department must report on recommendations made by the working group in its annual report to the General Assembly. **Effective: May 19, 2022.** Lobbyist: Meghan MacKillop.

SB22-020

Court Reporter Administering Oaths or Affirmations

<https://leg.colorado.gov/bills/sb22-020>

The act allows court reporters who hold a registered professional reporter certification or higher to administer oaths or affirmations. **Effective: March 30, 2022.** Lobbyist: Meghan MacKillop.

SB22-049

Victim Rights Act

<http://leg.colorado.gov/bills/sb22-049>

The act adds first degree arson and criminal invasion of privacy to the Victim Rights Act and updates the rights afforded to victims of crimes. The act provides the victim the right to:

- Appear in person, phone, or virtually for all the critical stages of the criminal justice process;
- Receive an unredacted initial incident report with the victim's name, offender's name, date of the crime, the charges, and summary of the incident;
- Be heard in court proceedings involving a request to decrease bond and any application to the court for the issuance of a subpoena for records that are personal or confidential to a victim;
- Consult with the prosecution prior to any prefile or post filing diversion offer;
- Receive an explanation from the prosecution of the possibility that the defendant may not serve their entire sentence due to good time credits; and
- Be informed if a district attorney grants early termination to an offender participating in a diversion program and the date of termination.

The act also makes several changes to victim notification procedures, specifying that law enforcement agencies must only provide the victim information on the status of a cold case upon the victim's request. Additionally, the act prohibits parties from issuing a subpoena to produce privileged records regarding a victim, unless there is a court order. The court may order a subpoena if it finds that a victim has waived their statutory privilege, and the court is required to provide a victim or their designee with translation or interpretation services during the hearing, if requested. Finally, the act requires a defendant to be present during a sentencing hearing to hear a victim's Victim Impact Statement unless the court excludes the defendant.

Effective: May 6, 2022. Lobbyist: Meghan MacKillop.

SB22-099

Sealing Criminal Records

<http://leg.colorado.gov/bills/sb22-099>

House Bill 21-1214 established a process to automatically seal certain criminal records related to drug offenses. The act expands the eligible offenses for automatic record sealing to certain offenses that have no intervening conviction and are currently eligible for sealing by petition, including:

- Civil infractions with four years since the final disposition;
- Petty offenses or misdemeanors with seven years since the final disposition; and
- Felonies with ten years since the final disposition.

If the defendant's records are not automatically sealed, the defendant may still make a motion to seal at no charge. District attorneys are required to seal their records and to notify the CBI and other law enforcement entities to seal their records once an offender's diversion is complete. The act also makes several updates to the current non-automatic process for sealing records, including requiring the court, instead of the defendant, to provide custodians of the criminal record with a copy of a sealing order and allowing defendants to seal their record even if they have unpaid fines, court costs, late fees, or other fees ordered by the court.

Sealing municipal violations. The bill allows a defendant in municipal court to file a motion three years after the final disposition of all criminal proceedings or the date of release from supervision, whichever is later, in which any conviction records for a municipal violation are located if:

- The defendant has not been charged with or convicted of a felony, misdemeanor, or misdemeanor traffic offense since the date of the final disposition of all criminal proceedings against the defendant or the date of the defendant's release from supervision, whichever is later; and
- The conviction records are not for a misdemeanor traffic offense committed by a commercial learner's permit or license holder, or by a commercial motor vehicle operator.

Defendants with a single subsequent offense may file a motion to seal records of municipal violations 10 years after the date of the final disposition of all criminal proceedings or the date of release from supervision, whichever is later, if:

- The defendant was convicted of a single offense that was not a felony and did not involve domestic violence, unlawful sexual behavior, or child abuse;

- The defendant was convicted a single offense that was not a felony, misdemeanor, or misdemeanor traffic offense since the date of the final disposition of all criminal proceedings against the defendant or the date of the defendant's release from supervision, whichever is later; and

- The conviction is not a municipal assault or battery offense in which the underlying factual basis involves domestic violence.

The defendant must pay a filing fee, and the court must review the motion to determine if the motion requires a hearing. If the court determines that the petition is sufficient, the court must grant the motion unless the prosecution files an objection. If the prosecution does object, the court must set a hearing within 42 days of the filing. **Effective: August 9, 2022.** Lobbyist: Meghan MacKillop.

SB22-103

Remedy For Improper Guilty Pleas

<https://leg.colorado.gov/bills/sb22-103>

The act allows defendants who pleaded guilty to a municipal offense or a class 1 or 2 misdemeanor to challenge the plea if the defendant alleges:

- As a result of a guilty plea, the defendant suffered, is suffering, or will suffer an adverse immigration consequence; and

- That the guilty plea was obtained because the defendant was not adequately advised of the adverse immigration consequences of a guilty plea, the defendant did not knowingly waive the right to counsel, or the plea was constitutionally infirm as under current law.

When a defendant files a motion, the prosecution must respond within 63 days. If no response is filed, the court must grant the motion. If the prosecution opposes the motion and there is an issue of material fact, the court must set the matter for an evidentiary hearing within 21 days. Unless the prosecution proves by a preponderance of the evidence that the defendant will not suffer an immigration consequence or that the guilty plea was constitutionally entered, the court must grant the motion. If successful in challenging the guilty plea, the court must vacate the guilty plea as constitutionally infirm and set the case for an arraignment. **Effective: April 18, 2022.** Lobbyist: Meghan MacKillop.

Oil and GAS

HB22-1348

Oversight of Chemicals Used In Oil & Gas

<http://leg.colorado.gov/bills/hb22-1348>

On or after July 31, 2023, the act requires operators, service providers, and direct vendors that provide chemical products used for downhole oil and gas operations to disclose to the Colorado Oil and Gas Commission the name of the chemical product, a list of names of each chemical used in the product, an estimate of amount of each chemical used, and the intended purpose of each chemical. Additionally, the disclosure must provide the Commission with a declaration that the chemical product does not contain additionally added perfluoroalkyl or polyfluoroalkyl chemicals. The act also requires that on or before July 31, 2023, an operator will also provide a chemical disclosure to local governments that have jurisdiction within 2,640 feet of the well site and police, fire departments, and emergency service agencies whose jurisdictions include the well site. The act specifies that nothing in the act limits a local government from enacting or enforcing any ordinance, regulation, or other law related to the disclosure of any chemical product. **Effective: June 8, 2022.** Lobbyist: Heather Stauffer.

SB22-198

Orphaned Oil and Gas Wells Enterprise

<https://leg.colorado.gov/bills/sb22-198>

Orphaned oil and gas wells are wells that have been abandoned and no longer have legal owners responsible for their upkeep and maintenance, or the owner or operator is unwilling or unable to pay the costs of plugging, reclaiming, and remediating. The act creates the orphaned wells mitigation enterprise which imposes and collects mitigation fees from oil and gas operators. The money collected will be used to finance plugging, reclaiming, and remediating services for orphaned oil and gas wells. The act also creates a 5-member enterprise board appointed by the Governor. The board includes one local government official, preferably from a jurisdiction that has oil and gas development and orphaned wells. **Effective: June 2, 2022.** Lobbyist: Heather Stauffer.

Open MEETINGS

HB22-1110

Board of Education Executive Session

<https://leg.colorado.gov/bills/hb22-1110>

The act authorizes an executive session for a board of education of a school district, a governing body of a district charter school, or the governing board of an institute charter school to discuss employment contract negotiations for a chief executive officer, defined as a superintendent of a school district or a chief executive officer of a charter school, if the body has named more than one candidate as a finalist for the position of chief executive officer and the board holds a forum open to the public to conduct interviews with each of the finalists. The board may, in addition to interviewing finalists in a public forum, interview finalists in executive session. After public forums have been completed the board is authorized to begin contract negotiations with candidates in executive session. **Effective: April 4, 2022.** Lobbyist: Heather Stauffer.

Open RECORDS

SB22-157

Information Sharing for Consumer Protection Investigation

<https://leg.colorado.gov/bills/sb22-157>

The act states that when a district attorney receives a complaint alleging a violation of consumer protection laws, they can request records from a licensing authority regarding a person that is the subject of the complaint if the complaint alleges that the complainant suffered damages in an amount of at least twenty thousand dollars and the district attorney determines the amount of damages alleged appears to be a reasonable amount in relation to the alleged conduct forming the basis of the complaint, and two or more persons regulated by the licensing authority jointly engaged in conduct that forms the basis of the complaint. A licensing authority, including municipal licensing authorities, shall provide the district attorney with copies of, or access to inspect, the records requested if the licensing authority has already determined it will not take action against the regulated person or persons. If a court determines that the complaint is frivolous, groundless, and was filed in bad faith, or if the regulated person or persons prevail or substantially prevail in the matter, the court's order may also require the complainant to pay the regulated person's or persons' costs incurred, actual damages sustained, and reasonable attorney fees incurred in relation to the district attorney's or attorney general's investigation of the matter, and the licensing

authority's investigation of a complaint. The act also specifies that any copies of records that a licensing authority sends to a district attorney, the attorney general, or the attorney general's designee pursuant to this section are records of the investigation of a prosecuting attorney and are not subject to the right of inspection under the Colorado Open Records Act, part 2 of article 72 of title 24. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

SB22-169

Sensitive Species Data and Public Records

<https://leg.colorado.gov/bills/sb22-169>

The act amends the Colorado Open Records Act to allow a records custodian to deny the right of inspection to records that contain data or information that reveals the specific location, or could be used to determine the specific location, of an individual or group of animals, their nesting or breeding habitat, or plant species identified as a Colorado plant of greatest conservation need in Colorado's state wildlife action plan. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

See also: ELECTIONS (HB22-1273: Protections for Elections Officials); EMPLOYMENT AND LABOR (HB22-1041: Privacy Protections for Protected Persons); HB22-1354 (Protecting Injured Workers' Mental Health Records).

PENSIONS

HB22-1029

Compensatory Direct Distribution to PERA

<https://leg.colorado.gov/bills/hb22-1029>

The act makes a direct distribution of \$380 million to the Public Employees' Retirement Association (PERA) in FY 2022-23, to restore a suspended direct distribution payment of \$225 million to that was not made on July 1, 2020, due to pandemic-related budget cuts. This distribution also reflects an additional \$155 million to reduce future direct distribution to PERA in FY 2023-24 and FY 2024-25. **Effective: June 7, 2022.** Lobbyist: Meghan Dollar.

HB22-1034

FPPA Statewide Retirement Plan

<https://leg.colorado.gov/bills/hb22-1034>

Effective January 1, 2023, the act merges the assets and liabilities of the Fire and Police Pension Association (FPPA)-the Statewide Hybrid Plan and Statewide Defined Benefit Plan, including all plan components, into a new Statewide Retirement Plan codified in the newly created Article 31.5 of Title 31 in the Colorado Revised Statutes. In addition to outlining plan administration and benefits, the act:

- Creates new parity between the plans by giving the same

retirement eligibility currently available to defined benefit component members to hybrid component members (the Rule of 80, which means a beneficiary is retirement eligible when their age plus service credit equal 80) and giving defined benefit component members a money purchase component currently available to only hybrid component members.

- Creates an annuity on hybrid component benefits accrued prior to the merger to account for the Statewide Hybrid Plan's higher funded ratio, to be based on funded status at time of merger.
- Creates a new one percent contribution rate increase for both hybrid plan component employers and members (two percent total), to be phased in at one-eighth of one percent annually over an eight-year period from 2023 to 2030 until both the employer and member rate is nine percent (18 percent total) to pay for the costs related to benefits in the bill.
- Codifies a timeline extension on an existing one percent contribution rate increase for defined benefit plan component employers; the increase will take place at the rate of one-half of one percent over 2029 and 2030.
- Provides additional privacy protections for plan members.
- Extends the death and disability application deadline from 180 to 365 days.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

SB22-036

State Payment to FPPA Disability Benefits

<https://leg.colorado.gov/bills/sb22-036>

On July 1, 2022, and July 1 in the subsequent four years, the act requires the state treasurer to pay \$6.65 million from the General Fund to the Fire and Police Pension Association (FPPA) for deposit into the FPPA's Statewide Death and Disability Trust Fund. **Effective: May 27, 2022.** Lobbyist: Meghan Dollar.

Public HEALTH

HB22-1035

Modernization of the Older Coloradans' Act

<https://leg.colorado.gov/bills/hb22-1035>

This act restructures and adds two additional members to the Colorado Commission on Aging, appointed by the Governor. Additionally, it creates the Lifelong Colorado Initiative to support policy evaluation, data and metrics creation, and a reporting mechanism, with the goal of helping Coloradans age in place with the resources that they need to do so. **Effective: March 24, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1234

Preventing Identity-Based Violence Grant Program

<https://leg.colorado.gov/bills/hb22-1234>

The act creates the Preventing Identity-Based Violence Grant Program in the Division of Criminal Justice in the Department of Public Safety. The program will provide grants, available to local governments, for programs that focus on preventing acts of violence in which bad actors intentionally target discernible populations or venues in a manner that poses a threat to homeland security. Grants from the program must be used to further specified goals, such as building community awareness, strengthening local collaboration, or building sustainable supports. **Effective: May 19, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1278

Behavioral Health Administration

<https://leg.colorado.gov/bills/hb22-1278>

The act creates the Behavioral Health Administration (BHA) in the Department of Human Services and charges it with creating a coordinated, cohesive, and effective behavioral health system in Colorado. Any state agency that administers a behavioral health program is required to collaborate with the BHA. This is the act overhauling the behavioral health system in Colorado, attempting to ensure outcomes and metrics associated with funding streams with the significant number of resources being directed towards these initiatives this year and in the future.

Effective: May 25, 2022. Lobbyist: Jaclyn Terwey.

HB22-1279

Reproductive Health Equity Act

<http://leg.colorado.gov/bills/hb22-1279>

The act creates the Reproductive Health Equity Act to codify an individual's fundamental right to reproductive autonomy, including the right to use or refuse contraception and the right to continue or terminate a pregnancy. The act also codifies that a fertilized egg, embryo, or fetus does not have rights under state law. The act prohibits state and local public entities from denying, restricting, interfering with, discriminating against, or depriving through punishment an individual's right to contraceptives, to refuse to continue a pregnancy, or to receive family planning information. Further, public entities shall not deprive, through prosecution, punishment, or other means, an individual of their right to act or refrain from acting during their own pregnancy based on the potential, actual, or perceived impact on the pregnancy, the pregnancy's outcomes, or on the pregnant individual's health. **Effective: April 4, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1281

Behavioral Health-care Continuum Gap Grant Program

<https://leg.colorado.gov/bills/hb22-1281>

The act creates the Community Behavioral Health-Care Continuum Gap Grant Program to be administered by the

Behavioral Health Administration (BHA) and appropriates \$75 million from the Behavioral and Mental Health Cash Fund to the grant program. Of the money appropriated, the BHA must award \$35 million for community investment grants and \$40 million for children, youth, and family services grants. Grants may be awarded to nonprofit and community-based organizations as well as local governments that identify a source of contributing funds or non-financial contributions. The BHA must develop a behavioral health-care services assessment tool that grant applicants can use to identify regional gaps in services on the behavioral health-care service continuum. In awarding grants, the BHA must give preference to applicants providing a service that addresses a gap in services identified with the assessment tool. **Effective: May 18, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1283

Youth and Family Behavioral Health Care

<https://leg.colorado.gov/bills/hb22-1283>

The act requires the Colorado Department of Human Services to create an in-home and residential respite care program, provide operational support for psychiatric residential treatment facilities, continue the Statewide Access to Crisis System Services, create new substance use treatment beds, and build a neuro-psych facility. For each of the four programs, the act requires the General Assembly to appropriate funding from the Behavioral and Mental Health Cash Fund. **Effective: May 18, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1303

Increase Residential Behavioral Health Beds

<https://leg.colorado.gov/bills/hb22-1303>

The act requires an increase in the number of residential behavioral health beds, creates a new Medicaid provider type, and requires licensing of the new provider type — mental health residential facilities. This is a facility operated by a behavioral health entity or an assisted living residence to serve individuals with a mental health disorder who need the support of the long-term residential setting. **Effective: May 18, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1380

Critical Services for Low-income Households

<https://leg.colorado.gov/bills/hb22-1380>

The act creates a community food access program in the department of agriculture. The purpose of the food program is to improve access to and lower prices for healthy foods in low-income and underserved areas of the state by supporting small grocery retailers. The small food business recovery and resilience grant program is established, to be overseen by the food program. One-time grants not to exceed \$25,000 will be provided to small grocery retailers to help support infrastructure and other necessary items to make fresh, healthy food more accessible to low-income and underserved communities, and these entities must collaborate with their

local governments to receive the funding. **Effective: June 3, 2022.** Lobbyist: Jaclyn Terwey.

SB22-053

Health Facility Visitation During Pandemic

<https://leg.colorado.gov/bills/sb22-053>

The act requires health care facilities, including hospitals, nursing care facilities, and assisted living residences, to allow their patients and residents to have at least one visitor of their choosing. The act also requires these health care facilities to have written policies and procedures concerning visitation, including any restrictions or limitations that are placed on visitation and the reasons for these restrictions or limitations. **Effective: June 8, 2022.** Lobbyist: Jaclyn Terwey.

SB22-120

Regulation of Kratom Processors

<https://leg.colorado.gov/bills/sb22-120>

This act requires a feasibility report be provided to the General Assembly no later than January 4, 2023, regarding the potential regulations on kratom products, processors, and retailers, including age restrictions, testing recommendations, labeling requirements, and fiscal impacts. Local governments are included as relevant stakeholders in this conversation. Should no legislative action come after the release of this report, baseline regulations calling for unadulterated products and labeling requirements will go into effect July 1, 2024. Upon the effective date of this act, kratom is age-restricted to 21 and over with penalties similar to the sale of tobacco to minors. Additionally, both statutory and home rule municipalities may enact ordinances or resolutions more stringent than what is laid out in the act. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

SB22-147

Behavioral Health-care Services for Children

<https://leg.colorado.gov/bills/sb22-147>

The act appropriates funds from the Behavioral and Mental Health Cash Fund to three programs related to behavioral health care for children. The Colorado Pediatric Psychiatry Consultation and Access Program will support primary care providers, integrate behavioral health screening and treatment, provide peer-to-peer consultation, identify evidence-based resources and care coordination, create educational opportunities focused on pediatric behavioral health conditions, and create digital resources for these conditions as well. The Behavioral Health Care Professional Matching Grant Program will increase health professionals in schools, provide behavioral health training and resources for school staff, connect students with services provided by community-based organizations, and provide behavioral health care services at schools. The School-based Health Center Grant Program assists with the establishment, expansion, and ongoing operations of school-based health centers. **Effective: May 17, 2022.** Lobbyist: Jaclyn Terwey.

SB22-177

Investments in Care Coordination Infrastructure

<https://leg.colorado.gov/bills/sb22-177>

In implementing the Statewide Care Coordination Infrastructure, the act requires the Behavioral Health Administration to: train new and existing navigators on the behavioral health safety net system services, behavioral health service delivery procedures, and social determinants of health resources; ensure that the care coordination infrastructure can direct individuals where to seek in-person or virtual navigation support; and require each administrative services organization to implement the behavioral health crisis response system. The act requires the statewide care coordination infrastructure to include a cloud-based platform to allow providers that do not utilize electronic health records to actively participate in the care coordination infrastructure. **Effective: May 25, 2022.** Lobbyist: Jaclyn Terwey.

SB22-187

Supporting Recovery Programs Persons Who Wander

<https://leg.colorado.gov/bills/sb22-187>

The act expands the grant program, renamed as the Recovery Program for Persons Who Wander, to include municipalities, any combination of counties and municipalities, and local government designees. The act removes the award and funding limits and authorizes grant money to be expended for startup and maintenance costs of recovery programs, including equipment, training of search personnel, and outreach costs. The act also requires the Colorado Bureau of Investigation to establish and maintain a website with information on recovery programs. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

SB22-196

Health Needs of Persons in Criminal Justice System

<http://leg.colorado.gov/bills/sb22-196>

The act creates the Early Intervention, Deflection, and Redirection from the Criminal Justice System Grant Program in the Colorado Department of Human Services (CDHS) to support community responses to behavioral health crises and mitigate individuals' involvement in the criminal justice system related to behavioral health needs. Eligible entities, including local governments, can apply for grants to fund programs and strategies that provide behavioral health treatment or resources to prevent individuals from becoming involved in the criminal justice system. A grant can be used to:

- Support, create, or expand pre-arrest early intervention programs;
- Support, create, or expand co-responder community response;
- Fund staffing, facility improvements, or security measures for existing crisis walk-in centers, crisis stabilization units, mobile crisis services, or crisis respite services, as well as withdrawal management;
- Create comprehensive pre-release planning for individuals in a jail or prison with behavioral health needs to prevent reincarceration;

- Support, create, or expand programs to help people who have a pending municipal criminal case attend their court date, including through a municipal court reminder program; and
- Other innovations or programs aimed at deflecting, redirecting, or otherwise preventing people with behavioral health needs from the criminal justice system.

Effective: May 19, 2022. Lobbyist: Meghan MacKillop.

SB22-200

Rural Provider Stimulus Grant Program

<https://leg.colorado.gov/bills/sb22-200>

The act creates the Rural Provider Access and Affordability Stimulus Grant Program in the Department of Health Care Policy and Financing (HCPF) to provide grants totaling \$9.6 million to qualified rural health care providers to improve health care services in rural communities through modernization of information technology infrastructure and expanded access to health care. In consultation with the advisory committee, HCPF is required to adopt program guidelines, including grant application procedures, timelines, eligibility, funding amounts, and reporting requirements for grant recipients by December 31, 2022, and post the information on its website. **Effective: June 1, 2022.** Lobbyist: Jaclyn Terwey.

SB22-217

Programs That Benefit Persons with Disabilities

<https://leg.colorado.gov/bills/sb22-217>

Under current law, the Colorado Department of Labor and Employment (CDLE) is required to provide certain rehabilitation services to persons with disabilities at public cost without consideration of financial need. The act modifies and adds additional services to this requirement, including disability-related skills training, pre-employment transition services, and other services identified as exempt from financial participation in CDLE rules. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

Public SAFETY

HB22-1090

Reasonable Independence for Children

<https://leg.colorado.gov/bills/hb22-1090>

The act changes the current definition of "neglect" of a child, including for purposes of mandatory reporting, to exclude independent activities that a "reasonable and prudent" parent or guardian would consider safe, given the child's maturity, condition, and abilities, such as traveling to school and nearby commercial and recreational facilities, outdoor play, or remaining at a home or other safe location. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1217

Catalytic Converter Records and Grant Program

<https://leg.colorado.gov/bills/hb22-1217>

The act creates a Catalytic Converter Identification and Theft Prevention Grant Program in the Colorado Department of Public Safety, to raise awareness of catalytic converter theft and bolster identification and tracking efforts for stolen catalytic converters. Law enforcement agencies and local governments are eligible for grant funding. The act also directs the Department of Public Safety to create an assessment for commodity metals dealers regarding their compliance with records retention laws. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

HB22-1300

Local Enforcement to Prevent Human Trafficking

<https://leg.colorado.gov/bills/hb22-1300>

The act grants authority to counties to enact ordinances regulating massage therapy facilities to prevent human trafficking through licensure programs and establishes parameters for county licensure programs. The act encourages local licensing authorities to report criminal activity regarding massage therapists to the Department of Regulatory Agencies. If a municipality enacts similar regulations under home rule authority, municipal police departments must conduct background checks. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

HB22-1321

Study of Devices Assessing Motorist Impairment

<https://leg.colorado.gov/bills/hb22-1321>

The act establishes a study, to be conducted by the Department of Transportation, to investigate devices that can assess cognitive and physical impairment of motorists to detect the presence of drugs other than alcohol during roadside sobriety investigations. The report must be completed by June 1, 2023. **Effective: June 8, 2022.** Lobbyist: Meghan MacKillop.

HB22-1352

Stockpile for Disaster Emergencies

<https://leg.colorado.gov/bills/hb22-1352>

The act requires the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS) to procure and maintain a stockpile of essential materials that are available for distribution after the governor has declared a disaster emergency. DPS must ensure a sufficient supply of essential materials to bridge the gap until the national supply chain can increase production to meet demand. Essential materials include personal protective equipment, ventilators, and any other items DPS determines are necessary to respond to a disaster emergency. The DPS, in consultation with the Department of Public Health and Environment may distribute the essential materials to state

agencies, local public health agencies, hospitals, or other health-care providers, or to others in need. **Effective May 17, 2022.** Lobbyist: Meghan MacKillop.

HB22-1353

Public Safety Communications Transfer

<http://leg.colorado.gov/bills/hb22-1353>

On July 1, 2023, the powers, duties, and functions related to coordinating public safety telecommunications are transferred from the Office of Information Technology to the Department of Public Safety. The act creates the Office of Public Safety Communications within the department and requires the office to develop a tactical and long-range communications plan in coordination with local governments. Local governments are required to collaborate in the development and revision of the communications plan, but they retain the ability to use and manage their own communications network. **Effective: June 8, 2022.** Lobbyist: Meghan MacKillop.

SB22-206

Disaster Preparedness & Recovery Resources

<https://leg.colorado.gov/bills/sb22-206>

The act creates the disaster resilience rebuilding program in the division of local government in the Department of Local Affairs. The purpose of the program is to provide loans and grants to homeowners, owners of residential rental property, businesses, governmental entities, and other organizations working to rebuild after a disaster emergency. Loans and grants may be used to reimburse governmental entities for costs associated with a declared disaster that are not covered by available federal assistance, including costs associated with disaster management, fee waivers for building permits, transportation and infrastructure repairs, and replacement of lost revenue. Additionally, funds can be used to subsidize costs to repair or rebuild a homeowner's primary residence, repair or reconstruct housing stock in areas that are experiencing a shortage of available housing, rebuild neighborhoods planned to resist the impacts of natural disasters, and provide operating capital to a business experiencing a loss or interruption of business or to pay to repair or replace damaged business property.

Additionally, the act creates the Sustainable Rebuilding Program in the Colorado Energy Office. The program's purpose is to provide loans and grants to homeowners, owners of residential rental property, and businesses that are rebuilding after a wildfire or other natural disaster to cover costs associated with building high performing, energy efficient, and resilient homes, and structures. The office may contract with governmental entities.

Finally, the act creates the Office of Climate Preparedness in the Governor's Office which will coordinate disaster recovery efforts for the Governor's office and develop and implement a statewide climate preparedness roadmap. **Effective: May 17, 2022.** Lobbyist: Heather Stauffer.

SB22-225

Ambulance Service Sustainability and State Licensing

<http://leg.colorado.gov/bills/sb22-225>

The act shifts licensing authority for ambulance operators from counties to the Department of Public Health and Environment (CDPHE) beginning July 1, 2024. The act creates the Emergency Medical Services (EMS) System Sustainability Task Force to make recommendations regarding the regulatory structure for ambulance services. The task force consists of 20 members, including one member appointed by the Colorado Municipal League to represent municipalities. By January 1, 2024, the state Board of Health is required to adopt rules establishing minimum standards for the operation of an ambulance service, including minimum education and experience standards for ambulance service administrators, minimum general liability insurance coverage levels, and fees for ambulance service applications and licenses to cover the CDPHE's costs. The Board of Health is also required to adopt rules concerning basic requirements for emergency medical service providers employed or utilized in connection with an ambulance service. Beginning July 1, 2024, ambulance service operators must obtain a license from the CDPHE and authorization from the local licensing authority. Counties and city and counties are required to verify that an ambulance service has a valid state license before granting an ambulance services authorization, except in certain circumstances, and may enact an ordinance or resolution governing the authorization to operate ambulance services.

Effective: June 1, 2022. Lobbyist: Meghan MacKillop.

Special DISTRICTS

HB22-1070

Special Districts Early Childhood Development

<https://leg.colorado.gov/bills/hb22-1070>

The act clarifies that the service area of an early childhood development district may be entirely within, or partly within and partly out of the territory of one or more special districts, municipalities, counties, or other existing taxing entities. In addition, the act adds language to the statute which allows an early childhood special district to accept and expend gifts, grants, or donations from private or public sources for the purpose of providing early childhood development services to children from birth to 8 years of age. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

HB22-1097

Dissolution of Special Districts

<https://leg.colorado.gov/bills/hb22-1097>

The act extends the power to file an application of dissolution to boards of county commissioners if a special district lies wholly

or partly within a county. Municipalities already have this power. The act specifies that if 85% of the territory encompassed by the special district lies within the corporate limits of one or more municipalities, the municipalities will have to consent to the application of dissolution of the special district. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

Severance TAX

HB22-1391

Modifications to Severance Tax

<http://leg.colorado.gov/bills/hb22-1391>

Current law allows a credit against the severance tax on oil and gas equal to 87.5% of all ad valorem taxes paid to local governments and special districts on oil and gas leaseholds and lands, except those imposed on equipment and facilities used for production, transportation, and storage and those paid on stripper wells. Because ad valorem taxes are paid on the prior year's production, the mill levy for the tax lags production by a full year contributing to volatility in severance tax revenues. Beginning in 2025, the act requires that the ad valorem credit be calculated on a per-well basis by applying the prior year's mill levy to the current year's gross income multiplied by an assessment rate of 87.5 percent, and then taking 87.5 percent of that amount. This calculation is simplified by taking 76.56 percent (87.5 percent x 87.5 percent = 76.56 percent) of each well's current year gross income multiplied by the previous year's mill levy. Additionally, the act establishes a working group consisting of the director of the Office of State Planning and Budgeting and the executive directors of the departments of revenue, natural resources, education, and local affairs. The working group is charged with developing an implementation plan concerning additional changes to the state severance tax, including changing the legal incidence of tax from interest owners to operators while maintaining revenue neutrality, requiring electronic filing of returns for severance taxes, and requiring additional electronic data collection regarding the tax. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

Substance ABUSE

HB22-1326

Fentanyl Accountability and Prevention

<https://leg.colorado.gov/bills/hb22-1326>

The act makes possessing between 1 gram and 4 grams of a fentanyl compound for personal use a Level 4 drug felony, the lowest level drug felony. A fentanyl compound means a

drug mixture with any amount of fentanyl in it. For instance, 4 grams of heroin combined with a few milligrams of fentanyl would be considered a fentanyl compound. Those convicted of the Level 4 drug felony can have their convictions dropped to misdemeanors if they go through treatment. The person would not have to “knowingly” possess the fentanyl, but they would have an opportunity to argue before a jury that they did not know they were in possession of fentanyl. If the jury sides with the defendant, the defendant’s charge would be reduced from a felony to a misdemeanor. Possessing 1 gram or less of fentanyl or a fentanyl compound would remain a Level 1 drug misdemeanor. Possessing between 4 grams and 50 grams of fentanyl or a fentanyl compound with an intent to distribute it is a Level 2 drug felony. Possessing more than 50 grams of a fentanyl compound with an intent to distribute it a Level 1 drug felony, the highest level of drug felony. Other offenses become a Level 1 drug felony if it leads to someone’s death, if the drugs originated from outside of Colorado, or if the person also possessed a pill press or other manufacturing equipment. HB22-1326 appropriates \$40 million to support harm reduction strategies, including \$6 million for a harm reduction grant program available to local governments, \$19.7 million for bulk purchases of opioid antagonists, \$600,000 for fentanyl testing strips, \$7 million for law enforcement to investigate overdose deaths, and \$10 million for voluntary treatment beds. **Effective: July 2, 2022.** Lobbyist: Meghan MacKillop.

(CDPHE) will designate a nonprofit organization as the Producer Responsibility Organization (PRO) to implement and administer the program, and an advisory board will oversee and advise the PRO. The PRO will facilitate a needs assessment, develop and submit a plan proposal, and administer the program to provide recycling services throughout the state. By September 1, 2023, the PRO will hire a third party to conduct a needs assessment of the state’s recycling needs. The PRO will report the needs assessment results with three projected scenarios for how to increase recycling and the costs associated with each option to the executive director of CDPHE by January 30, 2024. The executive director of CDPHE will solicit feedback from the advisory board and the public on these three cost scenarios and recommend a preferred approach to the Joint Budget Committee (JBC) by March 15, 2024. If the JBC accepts the recommendation, the PRO moves forward to create and implement a plan. If the JBC rejects the Director’s recommendation, then the General Assembly can adopt a bill to implement one of the other scenarios. If the JBC rejects the recommendation, the PRO will dissolve. If a plan is approved by the JBC, or otherwise adopted by the General Assembly, producers of covered materials will begin paying annual dues to the PRO to cover the costs associated with implementing a statewide recycling program. The PRO will either provide recycling services directly through contracts with public or private service providers or reimburse local governments that provide recycling services. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

SUSTAINABILITY

HB22-1159

Waste Diversion and Circular Economy Development Center

<https://leg.colorado.gov/bills/hb22-1159>

The act creates the Circular Economy Development Center (center) in the Department of Public Health and Environment (CDPHE) to support end markets for recycled commodities and compost in the state. CDPHE will contract with a third-party administrator to operate the center by July 1, 2023. Funds from the Front Range Waste Diversion Cash Fund and the Recycling Resources Economic Opportunity Cash Fund will be used to pay for the operating and administrative costs of the center. The act also modifies grant award limitations under the Front Range Waste Diversion Enterprise and extends the program to September 1, 2030. It also extends the Recycling Resources Economic Opportunity Grant Program to September 1, 2030.

Effective: August 10, 2022. Lobbyist: Meghan MacKillop.

HB22-1355

Producer Responsibility Program for Recycling

<http://leg.colorado.gov/bills/hb22-1355>

The act establishes a producer responsibility recycling program (program) to provide convenient, equitable access to recycling services for covered materials to increase recycling rates across the state. The Department of Public Health and Environment

SB22-051

Policies to Reduce Emissions from Built Environment

<http://leg.colorado.gov/bills/sb22-051>

Beginning January 1, 2023, purchases of air-source heat pumps, ground-source heat pumps, and heat pump water heaters, and residential energy storage systems will be exempt from state sales and use tax until January 1, 2033; statutory municipalities retain the ability to decide whether to provide a local tax exemption. Beginning in tax year 2023, the act creates refundable income tax credits for the purchase of these heat pumps, necessary electrical panel upgrades, and residential energy storage systems through 2033. The act also exempts purchases of decarbonizing building materials from state sales and use tax from July 1, 2024, through July 1, 2034. For decarbonizing building materials, the bill requires the Office of the State Architect within the Department of Personnel and Administration to review environmental product designations from manufacturers to certify eligible materials for the state sales and use tax exemption, a list of which will be given to the Department of Revenue. Lastly, the bill allows an investor-owned utility to apply to the Public Utilities Commission to use either fuel commodity units or energy services provided for billing purposes.

Effective: August 10, 2022. Lobbyist: Meghan MacKillop.

See also: UTILITIES HB22-1381: Colorado Energy Office Geothermal Energy Grant Program; SB22-118: Encourage Geothermal Energy Use); WATER (HB22-1151: Turf Replacement Program).

TAXATION

HB22-1024

Sales and Use Tax Exemption Municipal Public Schools

<http://leg.colorado.gov/bills/hb22-1024>

The act attempts to extend the state sales tax exemption for construction materials used in public school projects to home rule municipalities. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1027

Sales Tax Destination Sourcing

<http://leg.colorado.gov/bills/hb22-1027>

The act allows small retailers to continue sourcing sales to their Colorado business location when collecting and remitting sales and use tax until October 1, 2022. **Effective: January 31, 2022.** Lobbyist: Meghan Dollar.

HB22-1039

Sales and Use Tax Exemption Form Simplification

<https://leg.colorado.gov/bills/hb22-1039>

The act requires the Department of Revenue to examine its sales and use tax exemption forms and requirements and simplify the forms to the extent feasible. The simplified forms and requirements must be in place beginning July 1, 2023. The bill also clarifies existing statutory form requirements to allow the simplified forms to be used for certain exemptions. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1055

Sales Tax Exemption Essential Hygiene Products

<https://leg.colorado.gov/bills/hb22-1055>

The act creates a state sales tax exemption commencing January 1, 2023, for all sales, storage, use, and consumption of incontinence products and diapers, as well as period products. The act further provides that local statutory taxing jurisdictions may choose to adopt either or both exemptions by express inclusion in their sales and use tax ordinance or resolution. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1117

Use of Local Lodging Taxes

<https://leg.colorado.gov/bills/hb22-1117>

The act amends the authority of a local marketing district to allow it to use the proceeds of its marketing and promotion tax levied on rooms or accommodations for housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers in the community, as well as for facilitating and enhancing visitor experiences. It also allows a district to make capital expenditures related to these purposes. If a

district's allowable uses of the marketing and promotion tax revenue approved by voters prior to January 1, 2022, do not include an additional use, then under the district will require subsequent voter approval to use the marketing and promotion tax revenue for that purpose. Additionally, counties are currently authorized, with prior voter approval, to levy a county lodging tax for the purpose of advertising and marketing local tourism. The act expands the lodging tax to allow the revenue to also be used for:

- Housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers in the community.
- Facilitating and enhancing visitor experiences.

The act allows a county to make capital expenditures related to these purposes. If a county already has a lodging tax that is limited to advertising and marketing local tourism, then the county must obtain voter approval to begin using the lodging tax revenues for any or all of these additional purposes. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1223

Mobile Home Property Tax Sale Notice and Exemption

<https://leg.colorado.gov/bills/hb22-1223>

The act creates a property tax exemption for mobile homes, which includes manufactured homes, that have an actual value of \$28,000 or less. The act eliminates the requirement that a county treasurer publish a notice in a newspaper of a sale of a mobile home, which includes a manufactured home, due to property taxes owed if:

- A distraint warrant has been delivered to the owner of the mobile home or to his or her agent; and
- The county treasurer publishes a notice of the sale on the treasurer's website.

Effective: August 10, 2022. Lobbyist: Meghan Dollar.

HB22-1301

Controlled Environmental Agricultural Facility as Agricultural Property

<https://leg.colorado.gov/bills/hb22-1301>

The act classifies certain "controlled environmental agricultural facilities" (CEA facility) as agricultural property for property tax assessment purposes and exempts agricultural equipment used in a CEA facility from the assessment of property tax. **Effective: August 10, 2022.** Lobbyist: Meghan Dollar.

HB22-1392

Contaminated Land Income Tax and Property Tax Credit

<https://leg.colorado.gov/bills/hb22-1392>

The act continues the income tax credit for environmental remediation of contaminated land for two years to include tax years 2023 and 2024. Additionally, current state law allows a property tax exemption for certain low-income housing

developments, including housing for disabled seniors, transitional housing developments, and other housing developments serving low-income residents. Current state law allows a 15-year exemption. The act allows the exemption for 15 additional years, or 30 years total, for properties that qualify for an extended use period income tax credit under the federal internal revenue code. **Effective: June 7, 2022.** Lobbyist: Meghan Dollar.

HB22-1406

Qualified Retailer Retain Sales Tax

<https://leg.colorado.gov/bills/hb22-1406>

The act renews for July 2022, August 2022, and September 2022, after a 10-month hiatus, a temporary deduction from state net taxable sales for qualifying retailers in the alcoholic beverages drinking places industry, the catering industry, the food service contractor's industry, the mobile food services industry, the restaurant and other eating places industry, and retailers operating a hotel-operated restaurant, bar, or catering service in the state. The temporary deduction from state taxable sales for qualifying retailers is equal to the lesser of state net taxable sales or \$70,000 for each month in the specified sales tax period. **Effective: June 3, 2022.** Lobbyist: Meghan Dollar.

SB22-026

Oil and Gas Operator Property Tax

<https://leg.colorado.gov/bills/sb22-026>

Under current law, a county assessor is required to send a notice of valuation of personal property to the operator of each oil and gas wellsite. If there is no operator, the notice of valuation must be sent to the owner who has filed a statutorily required statement with the assessor. This act states that oil and gas fractional interest owners are not entitled to separate valuation, notification, review, audit, protest, abatement, or appeal procedures by the assessor. Further, it designates the wellsite operator, or the owner who filed the statement, as the representative of all fractional interest owners and the exclusive point of contact for the assessor for such procedures. **Effective: March 30, 2022.** Lobbyist: Meghan Dollar.

SB22-032

Simplify Local Sales and Use Tax

<https://leg.colorado.gov/bills/sb22-032>

The act requires that the Department of Revenue collect sufficient information from relevant retailers that use the sales and use tax simplification system (SUTS) and make that information available to local taxing jurisdictions to ensure the concerns of local jurisdictions related to efficiency, compliance, and revenue collection are addressed.

Relevant retailers are those that:

- Use SUTS;
- Have a state standard retail license; and
- Either do not have a physical presence, or have only an incidental physical presence, in the local taxing jurisdiction.

The department must make the changes by July 1, 2023, and consult with local taxing jurisdictions and retailers in making system modifications. The bill clarifies that the department must report required information with each municipality or county, including home rule municipalities.

On or after July 1, 2022, a local taxing jurisdiction may not charge a fee for a general business license to relevant retailers within the jurisdiction. If the local jurisdiction requires a general business license, it must automatically issue the license at no charge using the information collected in SUTS, except that a local jurisdiction is not required to issue a license if it has previously revoked the retailers' general business license for a violation of local code. **Effective: April 21, 2022.** Lobbyist: Meghan Dollar.

SB22-238

2023 and 2024 Property Tax

<https://www.leg.colorado.gov/bills/sb22-238>

For the 2023 and 2024 property tax years, the act reduces property tax assessment rates and the actual value to which the rate applies in differing amounts, depending on the class of property. The act provides for reimbursement for revenue reductions to local governments except school districts.

Effective: May 16, 2022. Lobbyist: Meghan Dollar.

TRANSPORTATION

HB22-1004

Driver License Fee Reduction

<https://leg.colorado.gov/bills/hb22-1004>

\$3.9 million is transferred to the Licensing Services Cash Fund to avoid increasing the current driver license fee. **Effective: May 16, 2022.** Lobbyist: Meghan MacKillop.

HB22-1026

Alternative Transportation Options Tax Credit

<https://leg.colorado.gov/bills/hb22-1026>

The act eliminates the current corporate income tax deduction for expenses incurred to provide alternative means of transportation for employees and replaces it with a new refundable tax credit equal to 50 percent of expenditures incurred by employers to provide alternative transportation options starting in 2023. Municipal employers may claim the tax credit by filing a corporate income tax return for each income tax year that the municipality claims the credit. A single employer is limited to annual tax credit of \$250,000, and the maximum amount that an employer can claim for a single employee is \$2,000. Alternative transportation includes free or partially subsidized mass transit, free or partially subsidized ridesharing vans, and guaranteed ride home programs. **Effective: January 1, 2023.** Lobbyist: Meghan MacKillop.

HB22-1043

Motorcycle and Autocycle Definitions

<https://leg.colorado.gov/bills/hb22-1043>

The act creates a distinct definition for autocycles and makes changes to the current definition of a motorcycle. It also clarifies that the driver of an autocycle does not need a motorcycle endorsement and that certain exceptions to the use of eye protection and helmets apply to autocycle operators. Autocycles are no longer subject to a \$2 license fee and \$4 registration fee for motorcycle operator safety training but will otherwise continue to pay the same taxes and fees for licensing, titling, and registration, and will continue to use motorcycle license plates. Finally, the bill expands the definition of vulnerable road user to include autocycles. Municipalities should consider updating local traffic ordinances to conform with these new definitions. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

HB22-1046

Local Designation of Over-snow Use Only Highways

<https://leg.colorado.gov/bills/hb22-1046>

Current law allows local governments to regulate the operation of vehicles on designated highways under their jurisdiction, including prohibiting vehicle operations or imposing weight restrictions on local highways for a maximum period of 90 days in any one calendar year. The act extends that authority and allows local governments to designate highways under their jurisdiction for over-snow use only for a continuous seasonal period or when snow-packed conditions exist. Over-snow use includes travel on top of snow by human- or animal-powered means, or by an off-highway vehicle designed primarily for use over snow. The operation of restricted vehicles on highways in violation of a local ordinance is a class B traffic offense subject to a \$35 fine and a \$10 surcharge. **Effective: April 10, 2022.** Lobbyist: Meghan MacKillop.

HB22-1162

Motor Vehicle Digital Plates

<https://leg.colorado.gov/bills/hb22-1162>

Starting in FY 2022-23, the act allows Colorado vehicle owners to use digital license plates instead of the metal plates issued by the Department of Revenue (DOR). The digital plates must display the vehicle's registration and expiration date and be clearly visible from one hundred feet in normal sunlight. DOR may allow messages to be displayed on digital plates in addition to other functionality made possible using digital technology and must coordinate with the Colorado State Patrol to adopt rules that set standards and requirements for the use of digital license plates. The DOR must review the implementation of digital plates after one year and submit a report with comments and recommendations to the General Assembly. Local governments must update policies and procedures to reflect changes in allowable usage of digital license plates and ensure that any automated systems they oversee or operate, including

red light camera systems, are updated to properly read and capture information from the digital license plates. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

HB22-1254

Vehicle Taxes and Fees Late Registration

<https://leg.colorado.gov/bills/hb22-1254>

Vehicle owners in Colorado are required to title and register their vehicle within 60 days of purchase, or within 90 days of becoming a state resident, and must renew their registration annually. When a vehicle owner does not register their vehicle on time, the Department of Revenue (DOR) assesses \$25 in late fees for each month late, up to a maximum of \$100, and a person may be charged prorated Specific Ownership Tax (SOT). The act requires vehicle owners to pay prorated registration fees and non-SOT taxes from the date they were required to register their vehicle, in addition to standard late fees. It also requires temporary registration permit holders to start paying late fees and directs the DOR to adjust other registration fees on a temporary basis, subject to certain restrictions, to reduce local revenue and state revenue that is subject to TABOR because of the bill. The act also requires new residents to provide documentation of their vehicle's previous registration and evidence of their Colorado residency date when registering their vehicle with the DOR. If a vehicle owner fails to register their vehicle within 90 days of becoming a resident, they must pay prorated taxes and fees from the date the person became a resident to the date of vehicle registration. Back taxes and fees are not charged if the owner's vehicle is Class A personal property, which includes trucks, truck tractors, trailers, and semitrailers used to transport people or property as an interstate commercial carrier. The act removes the current exemption of late registration fees for temporary registration permit holders and reduces Age of Vehicle fees, which are additional registration fees that are credited to the Highway Users Tax Fund (HUTF) based on the age of a vehicle. The municipal distribution of HUTF may see a slight decrease initially; however, the act is expected to be revenue neutral for municipalities. **Effective: January 1, 2023.** Lobbyist: Meghan MacKillop.

HB22-1028

Statewide Regulation of Controlled Intersections

<http://leg.colorado.gov/bills/hb22-1028>

The act establishes uniform statewide requirements that allow bicycles, electric-assisted bicycles, electric scooters, and other non-motorized vehicles to make safety stops at intersections throughout the state. A safety stop means slowing to a speed of 10 miles per hour or less, and then continuing through an intersection without stopping if there is no traffic in which to yield. If a municipality has placed a traffic sign or signal with directions for a person on a bicycle or other non-motorized vehicles, the person must obey those instructions. HB22-028 also requires the Department of Transportation, in collaboration with other agencies and non-government entities, to develop educational materials concerning legal requirements and safe practices for approaching controlled intersections.

Municipalities should consider updating local ordinances to conform with this law. **Effective: April 15, 2022.** Lobbyist: Meghan MacKillop.

HB22-1338

Modification Department of Revenue Motor Vehicle-related Functions Funding

<https://leg.colorado.gov/bills/hb22-1338>

The Hearings Division and the Division of Motor Vehicles in the Department of Revenue currently receive funds from the Licensing Services Cash Fund, which is funded by the Marijuana Tax Cash Fund. According to analysis from the Office of State Budget and planning, the Marijuana Cash Tax Fund is over appropriated, and the division must receive funding for administrative hearings and the administration of the DRIVES program from another source. HB22-1338 shifts \$1.26 million in appropriations for these purposes to the “Off the Top” portion of the Highway Users Tax Fund for one year only. **Effective: April 25, 2022.** Lobbyist: Meghan MacKillop.

HB22-1351

Temporarily Reduce Road User Charges

<https://leg.colorado.gov/bills/hb22-1351>

The act delays the implementation of the road user fee created by SB21-260 until April 2023. Municipalities will receive \$14.1 million for Highway Users Tax Fund backfill to compensate for the loss in revenue. **Effective: May 18, 2022.** Lobbyist: Meghan MacKillop.

HB22-1388

Vehicle Registration and Certificate of Title

<http://leg.colorado.gov/bills/hb22-1388>

The bill makes various changes to vehicle title and registration regulations, including:

- When a vehicle is registered for less than a year and the owner owns multiple vehicles, the vehicle registrations can be set to expire at the same time, as long as the owner pays prorated surcharges, taxes and fees;
- Late registration fees for trailer coaches are set at the same rate as campers and multipurpose trailers;
- Distinctive special license plates, group special license plates, and special alumni license plates may be transferred after purchase of a vehicle;
- Trailer coach owners must pay \$16 annually for the road safety surcharge and \$13 annually for the bridge safety surcharge; and
- Lienholders are no longer required to certify copies of lien documents, and lien filings are no longer public records.

The act also allows the owner of an inoperable vehicle undergoing maintenance, repair, restoration, rebuilding, or renovation on private property to not pay fees or surcharges if they receive evidence of registration and attach it to their vehicle. However, owners of inoperable vehicles must still pay

an annual specific ownership tax. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

SB22-017

Fluid Milk Products Not Divisible Load

<http://leg.colorado.gov/bills/sb22-017>

Federal law considers a vehicle carrying fluid milk products to be a load that cannot be easily dismantled or divided and exempts such loads from certain interstate and highway weight restrictions if they have been issued special permits in accordance with applicable state laws. The Colorado Department of Transportation currently has a rule that classifies bulk fluid milk products as a non-divisible load, which is narrower than the definition in federal law. The act clarifies that a load of fluid milk product carried by a vehicle is considered non-divisible for rulemaking purposes to conform to provisions in federal law concerning highway vehicle weight limitations. Municipalities should consider updating local traffic ordinances to conform with this law. **Effective: March 3, 2022.** Lobbyist: Meghan MacKillop.

SB22-108

Altered Truck Weight Documents

<http://leg.colorado.gov/bills/sb22-108>

Under current law, owners of trucks weighing between 4,500 and 10,000 pounds must present a manufacturer’s certificate of origin or a certified scale ticket at the time of registration to determine weight-based fees. This act clarifies that a certified scale ticket must only be presented if the truck has been modified to change the weight of the truck by 300 pounds or more. The bill also requires certified vehicle weighers to include a vehicle’s identification number, year of manufacture, and make on a weight certificate when establishing the weight of a truck that has been modified with a changed weight of 300 pounds or more for registration purposes. To the extent that the act encourages disclosures of vehicle weight changes, it may increase local Highway User Tax Fund revenue from base registration fees, as well as the Bridge Safety and Road Safety surcharges. **Effective: August 10, 2022.** Lobbyist: Meghan MacKillop.

SB22-176

Early State Front Range Passenger Rail Funding

<http://leg.colorado.gov/bills/sb22-176>

The Front Range Passenger Rail District was established by Senate Bill 21-238 to implement an interconnected passenger rail system along the Interstate 25 corridor. The act transfers money from the General Fund to support development of the Front Range Passenger Rail corridor, including funding for rail district operations and to develop the Burnham Yard property, which will be used to consolidate and expand rail lines in the Front Range Passenger Rail corridor through Denver. Development of the Burnham Yard property will include development planning, conceptual design work, analysis of impacts to surrounding communities, and stakeholder engagement related to moving the existing rail line. This work

is required by the Federal Railroad Administration before a full National Environmental Policy Act analysis can occur. **Effective: June 7, 2022.** Lobbyist: Meghan MacKillop.

SB22-179

Deter Tampering Motor Vehicle Emission Control System

<http://leg.colorado.gov/bills/sb22-179>

Starting on January 1, 2024, the bill prohibits a person from:

- Tampering with an emission control system;
- Selling, advertising, manufacturing, installing, or using a motor vehicle part that bypasses the emission control system;
- Selling, leasing, or renting a motor vehicle with an emission control system that has been tampered with, unless the vehicle is sold wholesale and the owner has the applicable ownership document; and
- Operating a motor vehicle with an emission control system that has been tampered with and the vehicle has been granted a certificate of conformity under federal law and the person knew the system was tampered with.

The act establishes civil penalties for persons who violate the bill and allows the Attorney General to bring civil action against individuals. The act also allows licenses for motor vehicle dealers, wholesale motor vehicle auction dealers, wholesalers, buyers agency, or used motor vehicle dealers to be denied suspended, or revoked for selling a motor vehicle that is not equipped with a properly functioning emission control system.

Effective: August 10, 2022. Lobbyist: Meghan MacKillop.

SB22-180

Programs to Reduce Ozone Through Increased Transit

<http://leg.colorado.gov/bills/sb22-180>

The act appropriates \$28 million to provide free public transit in the summer of 2022 and the summer of 2023 and \$30 million to help the Colorado Department of Transportation to establish a pilot project to expand transit, including through additional bus trips on Interstate 70 and Interstate 25. \$10 million is also appropriated to the Revitalizing Main Streets Program, which provides grants to local governments for innovative strategies to reuse public spaces and help businesses reopen safely, while improving multimodal safety and accessibility along urban arterials. **Effective: May 26, 2022.** Lobbyist: Meghan MacKillop.

UTILITIES

HB22-1013

Microgrids for Community Resilience Grant Program

<https://leg.colorado.gov/bills/hb22-1013>

The act creates the Microgrids for Community Resilience Grant Program in the Department of Local Affairs to provide grants for cooperative electric associations and municipally owned utilities to purchase microgrid resources for eligible rural communities located within their service territories. Microgrids are defined as groups of interconnected electric loads and distributed energy resources with clearly defined electrical boundaries that can be connected to or disconnected from the electric grid. The microgrid functions as a single, controllable entity with respect to the electric grid. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1104

Powerline Trails

<https://leg.colorado.gov/bills/hb22-1104>

The act authorizes transmission providers to enter into contracts with public and private entities to construct and maintain powerline trails in an existing or future transmission corridor. Public entities are required to consult with the Division of Parks and Wildlife in the Department of Natural Resources to minimize adverse impacts to species and habitats. Transmission providers are required to develop and distribute informational resources to encourage powerline trail development by May 1, 2023. Transmission providers must demonstrate compliance with these requirements when applying for permits or notifying local governments of plans to site or expand a transmission line.

Effective: April 13, 2022. Lobbyist: Jaclyn Terwey.

HB22-1249

Electric Grid Resilience and Reliability Roadmap

<https://leg.colorado.gov/bills/hb22-1249>

The act requires the Colorado Energy Office, in collaboration with the Department of Local Affairs (DOLA) and the Colorado Resiliency Office (CRO), to develop a grid resilience and reliability roadmap. The roadmap must include guidance on how microgrids may be used to harden the grid and improve grid resilience and reliability, while serving the electricity needs of customers. The office, DOLA, and the CRO will take into consideration utility wildfire mitigation plans, and seek input from microgrid developers, the Public Utilities Commission, the Department of Public Safety, the Office of Utility Consumer Advocate, and representatives from at-risk communities, local governments, utility customers, labor organizations, and other representatives of critical infrastructure in the state. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

HB22-1381

Colorado Energy Office Geothermal Energy Grant Program

<https://leg.colorado.gov/bills/hb22-1381>

The act creates a geothermal energy grant program in the Colorado Energy Office to award three types of grants: single-structure geothermal grants for applicants constructing new buildings with geothermal systems as the primary heating and cooling system; community district heating grants for ground-source, water-source, or multisource thermal systems that serve more than one building; and geothermal electricity generation grants for the development of geothermal electricity generation and hydrogen generation produced from geothermal energy. Building owners, developers, local governments, geothermal installers, contractors, communities, public utilities, or other entities approved by the CEO are eligible to apply for funding. The act establishes qualifications, limits, and standards for awarding the grants. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

SB22-118

Encourage Geothermal Energy Use

<https://leg.colorado.gov/bills/sb22-118>

The act adds geothermal energy systems to statutory provisions that, under current law, apply to solar energy systems. Specifically, the act: limits the aggregate charges assessed by state or local government to install geothermal systems; specifies that geothermal equipment is a type of pollution control device that may be certified as pollution control equipment; includes geothermal systems in the definition of projects that may be funded through county or municipal revenue bonds; permits county boards of commissioners, regional planning commissions, and municipal development commissions to assure access to appropriate conditions for geothermal energy source development in master plans; specifies that geothermal energy system installation is not an alteration for the purposes of local zoning requirements; adds geothermal energy devices to the types of renewable energy generation devices that cannot be prohibited in legal instruments related to the sale or transfer of real property; and creates community geothermal gardens, which are analogous to community solar gardens. **Effective: August 10, 2022.** Lobbyist: Jaclyn Terwey.

WATER

HB22-1151

Turf Replacement Program

<http://leg.colorado.gov/bills/hb22-1151>

The act charges the Colorado Water Conservation Board (CWCB) with developing a statewide turf replacement program to incentivize the voluntary replacement of irrigated turf on residential and commercial properties. On or before July 1, 2023, the CWCB will develop a program which will, among other things, provide money to local governments and other eligible entities that provide matching money, up to 50%, in developing or implementing a turf replacement program. This is intended to help local governments start or expand turf replacement programs that they already offer. The act requires the state to contract with one or more third parties to provide turf replacement services in areas which do not have a program already established. The money can be used for turf replacement services but cannot be used to replace turf with impermeable concrete, artificial turf, water features like fountains, or invasive plant species. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

HB22-1322

Water Quality Regulation

<http://leg.colorado.gov/bills/hb22-1322>

The act requires the Water Quality Control Commission to conduct enhanced outreach to disproportionately impacted communities regarding proposed state actions. The act also requires the commission to utilize criteria promulgated in rule for designating waters as use-protected and establishes a five-year statute of limitations for bringing actions alleging a violation of the Water Quality Control Act or any rules or orders under the act. **Effective: June 8, 2022.** Lobbyist: Heather Stauffer.

HB22-1345

Perfluoroalkyl and Polyfluoroalkyl Chemicals

<http://leg.colorado.gov/bills/hb22-1345>

Beginning January 1, 2024, the act prohibits the sale or distribution of certain consumer product categories that contain intentionally added PFAS chemicals. The act also changes the date for which the use of Class B firefighting foam that contains intentionally added PFAS chemicals is prohibited at structures used for the storage or maintenance of aircraft from 2023 to 2024. Beginning January 1, 2024, fire departments or any other entities using class B firefighting foam containing intentionally added PFAS may not allow a release of the class B firefighting foam or must fully contain the foam through appropriate containment measures. Entities must safely store all class B firefighting foam and any associated waste and wastewater. If a release of class B firefighting foam does occur, information must

be reported within 24 hours to the water quality spills hotline maintained by CDPHE. Violations of these requirements are subject to a civil penalty. However, these requirements do not apply to the use of class B firefighting foam where the inclusion of PFAS chemicals is required or authorized by Federal law, implemented in accordance with Federal Aviation Administration guidance, or required for a military purpose. **Effective: June 3, 2022.** Lobbyist: Heather Stauffer.

SB22-028

Groundwater Compact Compliance Fund

<http://leg.colorado.gov/bills/sb22-028>

This act creates the Groundwater Compact Compliance and Sustainability Fund for groundwater compact compliance to help finance groundwater use reduction efforts in the Rio Grande river basin and the Republican river basin, such as efforts to buy and retire irrigation wells and irrigated acreage in the river basins. The Colorado Water Conservation Board will disburse funds based on recommendations from the board of directors of either the Rio Grande Water Conservancy District or the Republican River Water Conservation District, after approval by the State Engineer. **Effective: May 23, 2022.** Lobbyist: Heather Stauffer.

WILDFIRE

HB22-1007

Assistance Landowner Wildfire Mitigation

<https://leg.colorado.gov/bills/hb22-1007>

The act creates the Wildfire Mitigation Resources and Best Practices grant program within the State Forest Service. By January 2024, grant recipients, including local governments, may receive money to conduct outreach among landowners in high wildfire hazard areas to inform them of resources available for wildfire mitigation and best practices for wildfire mitigation. Additionally, beginning January 1, 2023, an individual landowner with a federal taxable income at or below \$120,000 for the income tax year, commencing on or after January 1, 2023, is allowed a credit equal to 25% percent of up to \$2,500 against the income taxes for costs for wildfire mitigation measures. The maximum total credit in a taxable year is \$625. The program is repealed January 1, 2030. **Effective: June 3, 2022.** Lobbyist: Heather Stauffer.

HB22-1011

Wildfire Mitigation Incentives for Local Governments

<https://leg.colorado.gov/bills/hb22-1011>

The act creates the Wildfire Mitigation Incentives for Local Government grant program within the State Forest Service that will be created by March 1, 2023. The grant program will provide state matching grants to local governments to match revenue

raised from a dedicated revenue source, or to expand existing programs administered by the local government on a long-term basis, which are used for forest management or wildfire mitigation. A dedicated revenue source means an existing or new tax imposed by the local government, an existing or new mill levy, or any permanent retention of excess revenue as approved by the voters in accordance with TABOR. A local government is also eligible for funding under the grant program, even in the absence of a dedicated revenue source, if it has created and administers an existing program, project, or funding mechanism that creates long-term funding at the local level for wildfire mitigation or forest health. Local governments that have attempted unsuccessfully to create a dedicated revenue source, through a ballot question that failed, can also qualify for funding under the grant program. Projects that qualify for funding include promotion of fuel breaks, forest thinning, a reduction in the amount or extent of fuels contributing to wildfires, outreach and education efforts directed at property owners and other members of the public, and any other means of forest management or wildfire mitigation as determined appropriate for funding by the forest service. The grant program was appropriated \$10 million this year and is repealed September 1, 2027. **Effective: June 3, 2022.** Lobbyist: Heather Stauffer.

HB22-1132

Regulation And Services for Wildfire Mitigation

<http://leg.colorado.gov/bills/hb22-1132>

The act requires that a person conducting a controlled burn on private property notify the local government or special district that provides fire services to the area, in accordance with local rules and regulations, if applicable, prior to the controlled burn. The person must provide the date, time, and location where the controlled burn will be conducted and contact information for the person responsible for the controlled burn. Controlled burn is defined as a fire intentionally started on private property that is not classified as agricultural land as set forth in C.R.S. § 18-13-109(2)(b)(I). The act also appropriates \$100,000 to the Local Firefighter Safety and Disease Prevention Fund to award need-based grants to volunteer fire departments. **Effective: August 10, 2022.** Lobbyist: Heather Stauffer.

HB22-1194

Local Firefighter Safety Resources

<https://leg.colorado.gov/bills/hb22-1194>

The act appropriates \$5 million dollars to the Department of Public Safety and directs the department to use the money to purchase and distribute protective equipment to local governments, fire districts, and volunteer fire departments. The Department will also use the funds to directly pay for training designed to increase firefighter safety and prevent occupation-related diseases for local fire departments and volunteer fire departments or to reimburse local fire departments and volunteer fire departments for the costs of protective equipment and training without requiring a grant application. The Department shall prioritize local fire departments and volunteer

fire departments that it identifies as having the greatest need for assistance to ensure firefighter safety. **Effective: March 1, 2022.** Lobbyist: Heather Stauffer.

HB22-1379

Wildfire Prevention Watershed Restoration Funding

<https://leg.colorado.gov/bills/hb22-1379>

The act appropriates the following amounts from the economic recovery and relief cash fund: \$3 million to the Healthy Forests and Vibrant Communities Fund; \$2 million to the Wildfire Mitigation Capacity Development Fund; and \$10 million to the Colorado Water Conservation Board Construction Fund. Municipalities are eligible to receive funding from each of these funds for wildfire mitigation and watershed restoration work. **Effective: June 2, 2022.** Lobbyist: Heather Stauffer.

SB22-002

Resources for Volunteer Firefighters

<https://leg.colorado.gov/bills/sb22-002>

The act makes fire departments consisting of primarily or solely volunteers eligible for reimbursement for wildland fire suppression activities from the Governor's Emergency Fund and the Wildland Fire Cost Recovery Fund. The act appropriates money for the Department of Public Safety to award grants and for the direct purchase and distribution of protective equipment to governing bodies and volunteer fire departments, and to directly pay for training designed to increase firefighter safety and occupation-related diseases. On or before October 1, 2024, the act also creates the Firefighter Behavioral Health Benefits Program. Employers, including local governments, are required to participate in the program which provides behavioral health benefits to firefighters. The costs of the program will be paid directly by the state; local governments do not pay into the program and local governments are not required to participate if, at any time, the state funding is insufficient to cover the cost of the program. **Effective: June 3, 2022.** Lobbyist: Heather Stauffer.

YOUTH

SB22-037

Tony Grampas Youth Services Program

<https://leg.colorado.gov/bills/sb22-037>

Among technical changes to the program, the act adds prevention services to the services provided for youth and their families through community-based programming, including services for reducing crime and violence, abuse and neglect, drug and alcohol use and school dropout rates. The act also allows unexpended funding appropriated to the program to remain in the fund at the end of the state fiscal year to be available for expenditure the following year. **Effective: March 17, 2022.** Lobbyist: Heather Stauffer.

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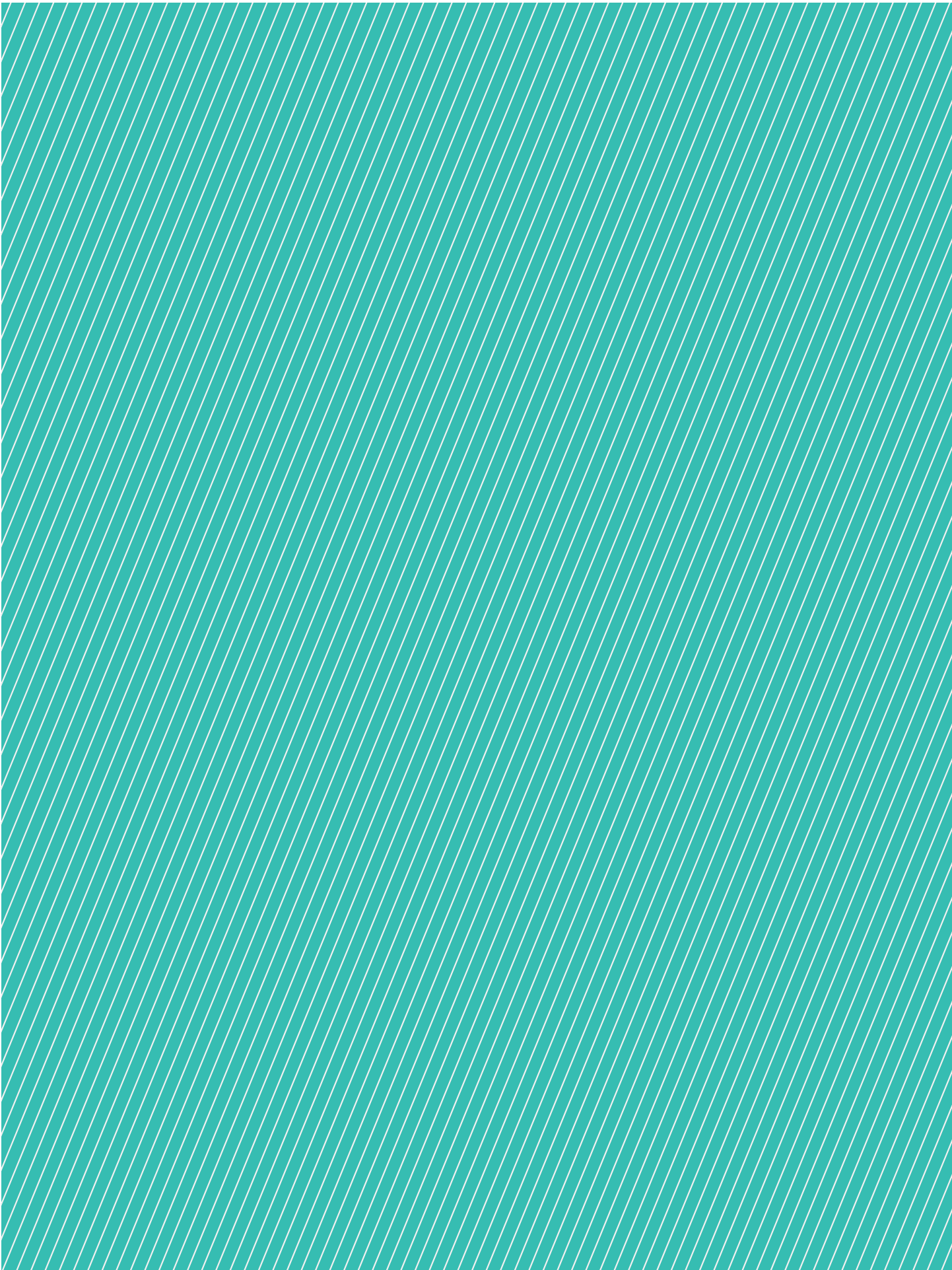
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