



[Issues](#)

[Resources](#) ▾

[Events](#) ▾

[Legislative](#) ▾

[Full Event List](#)

[Annual Conference](#)

[Outreach](#)

[Training](#)

[Training Materials](#)

Statehouse Report



In this issue...

[Affordable Housing](#)

[Building Codes: Energy Code Updates](#)

[Criminal Justice](#)

[Elections](#)

[Employment](#)

[Energy](#)

[Immigration](#)

[Limited Gaming](#)

[Local Government](#)

[Marijuana](#)

[Municipal Debt and Finance](#)

[Public Health](#)

Affordable Housing: Ability for Local Governments to Stabilize Rents

SB 19-225 removes the state preemption on local governments controlling rents on private property. It also removes language that prohibits a local government from denying an application for a development permit if a developer declines to enter into an agreement to limit rent. The new language enables local governments to enact and enforce any ordinance, resolution measure that would control rent on either private residential property or a private residential housing unit which includes deed restrictions and agreements. It's important to note that CML has not heard from our membership that rent control is a necessary tool for local governments. That being said, this bill is an opportunity to get full clarification that municipalities have the authority not only to partner with private entities for affordable housing, but perhaps even go as far as to dictate when developers must provide an number of affordable units in order to develop projects. This clarification is necessary following the Supreme Court decision *Town of Telluride vs. Thirty-Four Venture* where the court held broadly that these types of ordinances violate C.R.S. 38-12-301.

Bill: SB 19-225, Ability for Local Governments to Stabilize Rents

Sponsors: Sens. Julie Gonzales, D-Denver and Robert Rodriguez, D-Denver; Reps. Susan Lontine, D-Denver and Serena Gonzales-Gutierrez, D-Denver

Public Safety

Sales Tax

Sustainability

TABOR

Telecommunications

Transportation

Share with social
networks

Status: S. State, Veterans & Military Affairs

Position: Support

Lobbyist: Meghan Dollar

Updated 4/15/2019

Affordable Housing: Affordable Housing Tax Credit

During the 2014 legislation session, HB 14-1017 was passed to create a state low income housing tax credit (LIHTC) that is operated through the Colorado Housing and Finance Authority (CHFA). CML supported this legislation. CHFA has introduced legislation to not only reauthorize the program, but increase the amount of tax credits that may be distributed from \$5 million to \$10 million. Since its inception, the program has directly supported thousands of affordable housing units statewide. The state LIHTC is a successful tool for the state to develop affordable housing in communities. The bill is awaiting a hearing in the House Appropriations Committee and CML hopes the legislature will prioritize funding for the expansion of this important program.

Bill: HB 19-1228, Affordable Housing Tax Credit

Sponsors: Reps. Shannon Bird, D-Westminster and Brianna Titone, D-Arvada; Sens. Rachel Zenzinger, D-Arvada and Jack Tate, R-Centennial

Status: S. 2nd Reading

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Affordable Housing: Enforcement of Mobile Home Park Act

The bill is aimed at creating and providing protections for mobile home park residents. It does this by granting counties the power to enact ordinances to enforce the mobile home park act. Home Rule municipalities currently have this authority. It also creates the Mobile Home Park Dispute Resolution and Enforcement Program in the Department of Local Affairs. The program will serve as a place to receive complaints, conduct investigations and host administrative dispute resolutions when there are alleged violations of the mobile home park act. CML asked that the bill be abundantly clear that counties can enforce the mobile home act only within unincorporated areas of the county. As introduced, HB 19-1309 does contain that clarifying language. Additionally, the bill was amended on 2nd reading to add permissive language for statutory municipalities to enforce the Mobile Home Park Act. It also allows those municipalities to enter into Intergovernmental Agreements with others municipalities and counties to enforce the Act. With the adoption of that amendment, CML will support HB 19-1309.

Bill: HB 19-1309, Enforcement of Mobile Home Park Act

Sponsors: Reps. Edie Hooton, D-Boulder and Julie McCluskie, D-Dillon

Status: S. Finance

Position: Monitor

Lobbyist: Meghan Dollar

Updated 4/26/2019

Affordable Housing: Funding to Expand the Supply of Affordable Housing

It is no secret that Colorado is in the midst of an affordable housing crisis. There has been several pieces of legislation introduced this year all aimed at different facets of the issue. HB 19-1322 gets direct state funding for affordable housing by appropriating \$40 million of the unused funds in Colorado's Unclaimed Property Trust Fund to the Division of Housing grants and loans line item within the Department of Local Affairs. The program transfers will happen for seven years. The program already provides significant affordable housing resources, and HB 19-1322 will further expand ways affordable housing funding can be use.

Some of the important uses are:

- Homeownership in rural areas for income up to 120% of the area median income;
- Home modification and rehabilitation;
- Mobile home repair and replacement;
- Land and infrastructure costs to support affordable rental and/or ownership housing developments;
- Funding for the development, acquisition, and rehabilitation of affordable rental housing.

The funding for rehabilitation of existing housing stock is particularly important as it allows for communities to access funds for asbestos abatement. This cost of asbestos abatement has held many communities back when it comes to building rehabilitation, and CML is hopeful that this legislation will provide significant help for municipalities.

Bill: HB 19-1322, Permanent Funding for Affordable Housing

Sponsors: Reps. Dylan Roberts, D-Eagle and Perry Will, R- New Castle; Sen. Dominick Moreno, D-Commerce City and Don Coram, R-Montrose.

Status: H. 3rd Reading

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Building Codes: Energy Codes Update

As originally drafted, HB 1260 would have required that at the point in time when a local government is updating their building code they also update to one of the TWO most recent energy codes. However, after discussion with CML the bill sponsor and proponents agreed to allow local governments update to one of the THREE most recent versions of the (ICC) energy code. Allowing a local government to update to one of the three most recent energy codes will create more flexibility and allow a local government to be more successful in implementation. HB 1260 passed out of the Senate Energy and Transportation committee on a vote of 5-2. It will be heard on second reading Friday, April 26.

Bill: HB 19-1260, Building Energy Codes

Sponsors: Rep. Kipp, D-Fort Collins; Rep. Valdez A., D-Denver; Sen. Faith Winter, D-Westminster

Status: S. 2nd Reading

Position: Monitor

Lobbyist: [Brandy DeLange](#)

Updated 4/26/2019

Criminal Justice: Juvenile Expungement Clean-up

CML is introducing a negotiated clean-up bill with several organizations within the criminal justice community. It helps the implementation of HB 17-1204, which created Colorado's juvenile expungement process. The bill has been in effect for two years. Municipal courts have a number of issues, but most importantly the law must be clarified with respect to its application of municipal courts. The bill will create a new section in Title 13 that outlines a juvenile expungement process for municipal courts. Additionally, the bill will narrow notification requirements, and expedite certain administrative processes in order to reduced cost and staff time for municipal courts.

Bill: N/A, Juvenile Expungement Clean-up

Sponsors: Rep. Serena Gonzales-Gutierrez, D-Denver

Status: Not yet introduced

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Criminal Justice: No Monetary Bail for Low Level Offenses

There is a movement across the nation aimed at reforming judicial bail and bond systems. That movement is also alive and well in Colorado. One of the bills introduced to reform the use of monetary bail is HB 19-1225. The bill removes monetary bail for petty offenses, traffic offenses, and municipal ordinance violations that do not have a comparable state misdemeanor. When the bill was introduced there was substantial confusion as to which municipal ordinance violations were exempted in the bill. CML staff worked with the bill sponsors and proponents on an amendment that made it abundantly clear that monetary bail was allowed for municipal ordinance violations with a comparable state misdemeanor. These ordinances violations may include crimes that are violent in nature. The bill was heard in the House Judiciary Committee where CML's amendment was adopted. CML staff testified that we believe the bill conflicts with Section 5 of Art. XX of the Colorado Constitution which states that state home rule municipalities can determine how municipal courts are created and operated. Staff also added that CML understands the overall bond reform discussions, we are glad to be part of a path forward, and that we appreciate the work of Reps. Leslie Herod, D-Denver and Matt Soper, R-Delta to clarify the application of HB 19-1225 in municipal courts. With the adoption of that clarifying amendment, CML has removed its opposition to HB 19-1225.

Bill: HB 19-1225, No Monetary Bail for Low Level Offenses

Sponsors: Reps. Leslie Herod, D-Denver and Matt Soper, R-Delta; Sens. Pete Lee, D-Colorado Springs and Paul Lundeen, R-Monument

Status: Before governor

Position: Formerly opposed

Lobbyist: [Meghan Dollar](#)

Updated 4/12/2019

Elections: Modifications to Uniform Election Code

HB 19-1278 makes significant modifications to the Uniform Election Code in Title I of the Colorado statutes. There is significant objection from county clerks, mainly due to significant unfunded mandates. Most of the changes do not directly affect municipalities, even when coordinating with counties. Issues that did cause some municipal concern have been addressed to CML's satisfaction.

Bill: HB 19-1278, Modifications to Uniform Election Code

Sponsors: Rep. Susan Lontine, D-Denver; Sen. Steve Fenberg, D-Denver

Status: S. State, Veterans & Military Affairs

Position: Formerly opposed

Lobbyist: [Kevin Bommer](#)

Updated 4/26/2019

Employment: Family and Medical Leave Insurance

SB 19-188 was amended with significant new language in committee on on the Senate floor, and all of the language that would have led to implementation of universal paid family leave was stripped out of the bill. What remains is direction for a task force to study appointed by Gov. Jared Polis and the General Assembly, that will be assembled to study options for family leave program administered by a third party and the costs and financial impact of a family and medical leave program. Recommendations will be presented to members of the General Assembly and the governor by Jan. 8, 2020. While proponents and sponsors believe this is the first step in implementing the universal insurance option they envision, that is not outlined in the language of the legislation. CML believes the task force should have the latitude to examine options that are *not* predetermined, including examining the level of paid leave benefits currently offered by employers. The bill still has to pass the House of Representatives, but CML dropped its opposition.

Bill: SB 19-188, Family and Medical Leave Insurance

Sponsors: Sens. Faith Winter, D-Westminster, and Angela Williams, D-Denver

Status: H. Finance

Position: Formerly opposed

Lobbyist: [Kevin Bommer](#)

Updated 4/26/2019

Employment: Local Government Minimum Wage

HB 19-1210 was recently introduced and clearly gives affirmative authority for local governments to establish a local minimum wage higher than the state's. CML does not have a position on whether or not the current minimum wage is insufficient but is fully supportive of local governments working with their communities to decide. As amended in committee, the bill will strengthen the ability of local governments to work collaboratively and regionally, as well. More detail and history can be found on the [CML "Legislative Matters" blog](#). As the debate has ensued both within and outside of the capitol, it is clear the legislation can benefit from additional guardrails. Several amendments placing appropriate limitations and clarifications were made in committee, and staff expects additional amendments on the floor of the Senate.

Bill: HB 19-1210, Local Government Minimum Wage

Sponsors: Reps. Rochelle Galindo, D-Greeley, and Jovan Melton, D-Aurora; Sens. Dominick Moreno, D-Commerce City, and Jessie Danielson, D-Wheat Ridge

Status: S. 2nd Reading

Position: Support

Lobbyist: [Kevin Bommer](#)

Updated 4/19/2019

Energy: Community Solar Gardens

SB 19-1003 amends the current statute for the creation of community solar gardens (CSGs) by increasing the maximum size of a CSG from 2 megawatts to 10 megawatts and removing the requirement that a CSG subscriber's identified physical location be in the same county as, or a county adjacent to, that of the CSG. The legislation still retains the requirement that it be within the service territory of the same electric utility.

Bill: HB 19-1003, Community Solar Gardens

Sponsors: Rep. Chris Hansen, D-Denver

Status: Passed Senate

Position: Monitor

Lobbyist: [Morgan Cullen](#)

Updated 4/26/2019

Energy: Powers and Duties of Electric Vehicle Grant Fund

HB 19-1198 makes a number of modifications to the statute governing the electric vehicle grant fund. It would allow for grants for the installation of charging stations for electric vehicles, and for grants to be prioritized based on criteria defined by the Colorado Energy Office. In addition, the fund would be available to fully fund installation of charging stations and offset station operating costs.

Bill: HB 19-1198, Powers and Duties of Electric Vehicle Grant Fund

Sponsors: Rep. Alex Valdez, D-Denver; Sen. Jeff Bridges, D- Greenwood Village

Status: H. Energy & Environment

Position: Monitor

Lobbyist: [Morgan Cullen](#)

Updated 2/22/2019

Immigration: Protect Coloradans from Federal Government Overreach

HB 19-1124 is similar to past legislation, but is more clearly focused on immigration enforcement at the state level. The bill imposes a uniform statewide standard of non-cooperation with federal immigration authorities. It prohibits local governments from entering into voluntary IGAs with U.S. Immigration and Customs Enforcement (ICE) to assist with the enforcement of immigration laws commonly known as "287(g) Agreements." This section of the bill affects county jails in particular since there are no municipalities in Colorado that are engaged in a 287(g) Agreements. Though municipalities do not engage in these agreements, there was concern that the introduced version contained specific language in the bill surrounding the use of federal funding. When HB 19-1124 was heard in committee the bill was amended to remove

the bill language so CML has removed its opposition. The Governor's Office recently expressed that the Governor does not support the bill as drafted. As a result, the bill has yet to be debated on the House floor.

Bill: HB 19-1124, Protect Coloradans from Federal Government Overreach

Sponsors: Reps. Adrienne Benavidez, D-Commerce City and Susan Lontine, D-Denver

Status: Passed House

Position: Formerly opposed

Lobbyist: Meghan Dollar

Updated 4/26/2019

Limited Gaming: Regulation of Sports Betting

HB 19-1327 is a bipartisan bill to create a regulatory system for sports betting in Colorado. The measure will be approved by voters in 2019. If the measure is approved, the 17 companies that currently have gaming licenses in the three constitutionally allowed gaming towns Black Hawk, Central City, and Cripple Creek may apply to the Gaming Commission to receive a master license. The license allows for a sports book and for the company to contract with online operators. The bill also establishes a tax question for voter approval which allows the betting to be taxed at up to 10%. The revenue will go to gambling addiction and to Colorado's Water Plan. CML supports the legislation as it maintains voter intent of keeping gaming in the three constitutionally approved gaming communities. The bill also allows for a local election in the gaming towns to approve sports betting. Finally, the legislation designates the revenue for the Colorado Water Plan which will get funding for conservation and infrastructure projects throughout Colorado that will benefit Colorado's municipalities.

Bill: HB 19-1327, Regulation of Sports Betting

Sponsors: Reps. Alec Garnett, D-Denver and Patrick Neville, R-Castle Rock; Sens. Kerry Donovan, D-Vail and John Cooke, R-Greeley

Status: S. Finance

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Local Government: Census Outreach Grant Program

HB 19-1239 would create a 2020 Census Outreach Program within the Colorado Department of Local Affairs to assist communities with local outreach efforts to ensure an accurate census count. The program would be governed by a 7-member board selected by the governor and house and senate leadership and would oversee a \$12 million General Fund appropriation that can be distributed to local governments, councils of governments, housing authorities, school districts and nonprofit organizations. The money can be utilized in any number of ways the committee deems

appropriate to increase the census count in historically hard to count areas. Nearly \$700 billion in annual federal funding is allocated to states and local governments based on the decennial census count so a lot is at stake.

Bill: HB19-1239, Census Outreach Grant Program

Sponsors: Rep. Kerry Tipper, D-Lakewood

Status: S. 2nd Reading

Position: Support

Lobbyist: Morgan Cullen

Updated 4/26/2019

Marijuana: Delivery

HB 19-1234 is far more expansive than last year's defeated legislation creating a pilot project. However, proponents have kept their word in stating they would be consistent with the local control they have promoted, and this bill was recently amended to address all of CML's concerns. Specifically, language was added that:

1. Requires an opt-in to allow delivery of medical or retail marijuana, even if a municipality already allows medical centers or recreational stores, and;
2. Prohibits cross-jurisdictional deliveries or at least make prohibit them unless a municipality allows them.

These points are consistent with the local control elements and processes of Amendment 64. The bill was amended in its first committee, and has moved on to the House Finance Committee. With the amendments, CML has withdrawn opposition.

Bill: HB 19-1234, Delivery

Sponsors: Reps. Alex Valdez, D-Denver, and Jonathan Singer, D-Longmont; Sens. Julie Gonzales, D-Denver, and Vicki Marble, R-Ft. Collins

Status: S. 2nd Reading

Position: Formerly opposed

Lobbyist: Kevin Bommer

Updated 4/26/2019

Marijuana: Marijuana Sunset

SB 19-224 is legislation that is required to re-enact the retail and medical marijuana code. During these sunset bills, there is the opportunity to add new language to the code. In the Senate Finance Committee, several amendments were added to the sunset bill, and CML is still evaluating them. However, one old friend popped up, and CML assisted Sen. Fenberg with some of the language. Some may recall that CML initiated

legislation 2 years ago to place a definition of "open and public" consumption in Colorado law. That legislation failed on the last day of the session, leaving the constitutional prohibition undefined in statutes since 2013. While CML is pleased to see this added to the bill and doesn't see any issues, currently, with other amendments made to the bill on the Senate floor.

Bill: SB 19-224, Marijuana Sunset

Sponsors: Sens. Julie Gonzales, D-Denver, and Steve Fenberg, D-Boulder

Status: H. Finance

Position: Monitor

Lobbyist: [Kevin Bommer](#)

Updated 4/26/2019

Marijuana: Onsite Consumption

Subject to local and state approval, HB 19-1230 would allow two types of "cannabis hospitality spaces" for onsite consumption of marijuana and marijuana products. One type would be a "bring-your-own" model, and the other allows onsite sales. The legislation would allow smoked products to be consumed by creating an exemption in the Colorado Clean Indoor Air Act. CML supported the inclusion of marijuana smoke in the Clean Indoor Air Act in 2013, so this exception is problematic. To the credit of the proponents and sponsors, the bill does require local governments to opt in to allow onsite consumption establishments, as well as the ability to be more stringent and create additional requirements. An amendment was added at CML's request to clearly allow the decision for an exemption of marijuana smoke from the Clean Indoor Air Act to be made at the local level. CML has withdrawn opposition.

Bill: HB 19-1230, Onsite Consumption

Sponsors: Reps. Jonathan Singer, D-Longmont, and Jovan Melton, D-Aurora; Sen. Vicki Marble, R-Ft. Collins

Status: S. 2nd Reading

Position: Formerly opposed

Lobbyist: [Kevin Bommer](#)

Updated 4/26/2019

Municipal Debt and Finance: Bond Requirements for PPPs

Under current statutes taxpayers, subcontractors and material suppliers have payment protection on public projects via bonding requirements and on private projects via mechanic's lien rights. No such payment protection exists on projects using a public/private partnership funding agreement. SB 19-138 would apply current bonding requirements for public construction and maintenance projects to construction and maintenance projects on public property that use private financing.

Bill: SB 19-138, Bond Requirements for PPPs

Sponsors: Sen. Faith Winter, D-Westminster; Rep. Shannon Bird, D-Westminster

Status: Before governor

Position: Monitor

Lobbyist: [Morgan Cullen](#)

Updated 4/6/2019

Public Health: Clean Indoor Air Act

As introduced, HB 1076 amends the Colorado Clean Indoor Air Act to include e-cigarettes as well as similar electronic smoking devices (EDS) such as vape pens and e-cigars. HB 1076 allows local authority to determine an appropriate radius from main doorways and entrances leading into building with a minimum 25-foot radius. Similarly, home rule municipalities may adopt more stringent regulations but may not enact, adopt or enforce less stringent regulations or radius from main entryways. Finally, HB 1076 eliminates existing indoor smoking exceptions for airports, businesses with three or fewer employees, designated smoking rooms in hotels and designated smoking areas in assisted living facilities. HB 1076 was amended to accommodate communities such as Cripple Creek and Black Hawk who have identified less than a 25-foot radius for businesses such as casinos in their ordinances before July 1, 2019. HB 1076 was heard in the Senate Health and Human Services committee on April 25 and passed out unanimously.

Bill: HB 19-1076, Clean Indoor Air Act Add E-cigarettes

Sponsors: Reps. Dafna Michaelson Jenet, D- Commerce City, and Colin Larson, R-Ken Caryl; Sens. Kevin Priola, R-Brighton, and Kerry Donovan, D-Vail

Status: S. 2nd Reading

Position: Monitor

Lobbyist: [Brandy DeLange](#)

Updated 4/26/2019

Public Safety: Colorado Fire Commission

SB 19-040 establishes the Colorado Fire Commission in the Colorado Department of Public Safety. The creation of the commission will consolidate State efforts fighting wildfires and other emergency incidents. Its purpose is to enhance public safety in Colorado through an integrated statewide process focused on the fire service's capacity to conduct fire management and use, preparedness, prevention, and response activities to safeguard lives, property, natural resources, and increase the resiliency of local and regional communities. The bill was amended in committee to change the make up of the commission. CML testified in support as there will be two individuals representing municipalities will be appointed to the Commission.

Bill: SB 19-040, Colorado Fire Commission

Sponsors: Sen. Dennis Hisey, R-Fountain; Rep. Terri Carver, R-Colorado Springs and Dylan Roberts, D-Eagle

Status: H. Rural Affairs & Agriculture

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Expand Medication-assisted Treatment Pilot Program

In 2017, the general assembly enacted Senate Bill 17-074, which created a 2-year medication-assisted treatment (MAT) expansion pilot program, administered by the University of Colorado College of Nursing, to expand access to medication-assisted treatment to opioid-dependent patients in Pueblo and Routt counties. CML supported this legislation as MAT is an important piece of fighting substance abuse in Colorado. SB19-001 expands the pilot program to the counties in the San Luis valley and 2 additional counties in which a need is demonstrated. SB 19-001 was heard in Senate Appropriations where \$2.5 million was attached to the program.

Bill: SB 19-001, Expand Medication-assisted Treatment Pilot Program

Sponsors: Sen. Leroy Garcia, D-Pueblo; Rep. Bri Buentello, D-Pueblo

Status: H. 3rd Reading

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Prohibit Drone Use During Wildfires

The Wildfire Matters Review Interim Committee will bring legislation that requires the Center of Excellence for Advanced Technology in Aerial Firefighting to study, and potentially implement, a system to patrol the airspace above a wildland fire. This recommended legislation is another attempt to curb the use of drones by civilians during a wildfire incident. Drone use can easily ground air patrol during an emergency and lose first responders precious time to contain a wildfire. CML has supported similar legislation in past sessions.

Bill: SB 19- 20, Prohibit Drone Use During Wildfires

Sponsors: Sens. Rhonda Fields, D-Aurora and Don Coram, R-Montrose; Rep. Barbara McLachlan, D-Durango

Status: H. Appropriations

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Public Safety Information Sharing Program

HB 19-1073 creates the law enforcement, public safety, and criminal justice information sharing grant program within the Colorado Department of Public Safety (CDPS). The grant program provides grants to assist local law enforcement agencies in gaining access to the information-sharing system created by the Colorado information sharing consortium (CISC). Grant recipients can use the money to pay for computer hardware, software, and programming costs necessary to connect to CISC's information-sharing systems.

Bill: HB 19-1073, Public Safety Information Sharing Program

Sponsors: Rep. Adrienne Benavidez, D-Commerce City; Sen. Rhonda Fields, D-Aurora

Status: H. 3rd Reading

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Recovery from Substance Abuse

This proposed legislation comes from the Opioid and Other Substance Disorders Study Committee. As introduced, the bill required each recovery residence operating in Colorado to be licensed by the department of public health and environment. These recovery residences are also called sober living homes and aim to promote sobriety and independent living for addicted individuals. There was concern among recovery residences operators that licensing was too costly. The bill was amended in committee to reflect a compromise. In order to operate, recovery residences must be certified by the Colorado Association of Recovery Residences, Oxford House, or have been in operation for over 30 years. The legislation also expands the housing voucher program currently within the Department of Local Affairs (DOLA) to include individuals with a substance use disorder. Finally, the bill creates the opioid crisis recovery fund for money the state receives as settlement or damage awards resulting from opioid-related litigation. CML is particularly interested in the regulation of recovery residences and a potential state fund that could support municipal programs to lower substance abuse addiction in their communities. Recovery residences operate in many municipalities across Colorado. Municipalities have been advocating for a state-level regulatory structure of these facilities due to concerns that local regulation may conflict with federal law. This legislation, as amended, creates that regulatory structure.

Bill: HB 19-1009, Recovery from Substance Abuse

Sponsors: Reps. Chris Kennedy, D-Lakewood and Jonathan Singer, D-Longmont; Sen. Kevin Priola, R-Brighton

Status: H. 2nd Reading

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Revoke P.O.S.T. Certification for Peace Officers that made Untruthful Statements

SB 19-166 requires the Peace Officers Standards and Training Board (P.O.S.T.), which certifies peace officers, to revoke the certification of a peace officer if a law enforcement agency reports that the officer knowingly made an untruthful statement. The bill specifically identifies untruthful statements that concern a material fact or omitted a material fact on an official criminal justice record, while testifying under oath, or during an internal affairs investigation. In order to report to POST that an officer should be decertified, the law enforcement agency must complete the administrative process and determine by a clear and convincing standard of the evidence that the officer was untruthful. An appeal process is also described in the bill. CML is supportive of this legislation because it provides a safeguard to prevent police officers that were found untruthful from bouncing to different law enforcement agencies within Colorado.

Bill: SB 19-166, Revoke P.O.S.T. Certification for Peace Officers that made Untruthful Statements

Sponsors: Sens. Rhonda Fields, D-Aurora and Bob Gardner, R-Colorado Springs; Rep. Dylan Roberts, D-Eagle

Status: Passed House

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Public Safety: Substance Abuse Harm Reduction

SB 19-227 focuses on harm reduction around substance abuse disorders. This includes expanding the medication take-back program to include syringes as well as creating a Naloxone bulk purchasing program. The program will be run by the Colorado Department of Public Health and Environment (CDPHE) and allows local governments more access to Naloxone which reverses opiate overdoses. The program will get more of the medication in the hands of law enforcement and local emergency service providers.

Bill: SB 19-227, Substance Abuse Harm Reduction

Sponsors: Sens. Brittany Petersen, D-Lakewood and Julie Gonzales, D-Denver; Reps. Chris Kennedy, D-Lakewood and Leslie Herod, D-Denver

Status: H. Finance

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Public Safety: Substance Abuse in the Criminal Justice System

This proposed legislation is from the Opioid and Other Substance Use Disorders Interim Study Committee. The goal of the legislation is to get addicted individuals to services and treatment rather than the criminal justice system. The bill adds low level drug crimes to a simplified record sealing process as well as identifies funding to expand the Law Enforcement Assisted Diversion (LEAD) Programs from 4 to 10. LEAD programs focus on getting individuals suffering from substance addiction to treatment and services rather than getting them into the criminal justice system. The bill was amended in committee to expand the opportunities for funding outside of LEAD as some local governments may not have the infrastructure in place to implement a LEAD program. The funding will still be available to local law enforcement against and allows for funding for harm reduction as well. CML testified in support of the bill and thanked the sponsors and proponents for their important work on this issue.

Bill: SB 19-008, Substance Abuse in the Criminal Justice System

Sponsors: Sens. Brittany Pettersen, D-Lakewood and Kevin Priola, R-Brighton; Reps. Chris Kennedy, D-Lakewood and Jonathan Singer, D-Longmont

Status: H. Appropriations

Position: Support

Lobbyist: Meghan Dollar

Updated 4/26/2019

Public Safety: Substance Abuse Prevention

SB 19-228 provides funding for the implementation of several programs for the prevention of opioid and other substance use disorders. CML supports the bill because it establishes important programs that will provide resources to local governments for substance abuse prevention. A few of the programs created are listed below.

- **Youth Opioid and Substance Abuse Prevention Fund:** The fund and program are created in the Office of Behavioral Health to prevent the substance abuse in at-risk youth.
- **Local Substance Use Prevention and Recovery:** Creates a fund for local public health agencies to prevent and combat substance abuse disorders.
- **Public Awareness: Safe Use, Storage, and Disposal:** Continues important public education on the proper use and disposal of opioid prescriptions in order to prevent misuse.
- **Assist Local Communities with Grant Writing:** Provides funding to assist local

communities in applying for grants state and federal grants to implement local substance abuse prevention programs.

There are a number of other programs in the bill ranging from medication assisted treatment for pregnant women to programs to increase screening and intervention.

Bill: SB 19-228, Substance Abuse Prevention

Sponsors: Sens. Faith Winter, D-Westminster and Dominick Moreno, D-Commerce City; Reps. Bri Buentello-D, Boone and Jonathan Singer, D-Longmont

Status: H. Health & Insurance

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Public Safety: Wildfire Mitigation

HB 19-1006, as introduced, did not impact local governments as it was aimed at creating grant opportunities for individuals to mitigate their homes in order to protect from wildfire damage. Upon learning that the current grants administered through the Forest Restoration and Wildfire Risk Mitigation Grant Program would already cover homeowner mitigation, the sponsors decided to amend the bill to strengthen that program. Once amended, HB 19-1006 will provide an additional \$1 million to the Forest Restoration and Wildfire Risk Mitigation Grant Program. CML supported its creation as it provides resources to municipalities to implement wildfire mitigation programs. CML appreciates Reps. Terri Carver, R-Colorado Springs and Barbara McLachlan, D-Durango for their work on improving this legislation. In the interim, CML will join other stakeholders to find a continuous source of funding for the program.

Bill: HB 19-1006, Wildfire Mitigation

Sponsors: Reps. Terri Carver, R-Colorado Springs and Barbara McLachlan, D-Durango; Sen. Rhonda Fields, D-Aurora

Status: Before governor

Position: Support

Lobbyist: [Meghan Dollar](#)

Updated 4/26/2019

Sales Tax: State Sales Tax Administration

HB 19-1240 has been introduced to attempt to consolidate a number of issues related the state's rulemaking in the wake of the *Wayfair* decision. The rules, effective on June 1, will impact those that remit state sales tax and sales tax for statutory entities on

whose behalf the state collects. The bill will ultimately create a *de minimis* exemption for remittance to jurisdictions outside of a taxpayer's local jurisdiction, require remote marketplace facilitators to collect sales tax and remit to the state, and repeals some language from the old 2013 Marketplace Fairness Act legislation. Nothing in this legislation directly implicates self-collecting home rule municipalities, but the bill would be a step toward an aspirational single point of remittance sometime in the future.

Bill: HB 19-1240, State Sales Tax Administration

Sponsors: Reps. Tracy Kraft-Tharp, D-Arvada, and Kevin Van Winkle, R-Highlands Ranch; Sens. Lois Court, D-Denver, and Jack Tate, R-Centennial

Status: S. 2nd Reading

Position: Monitor

Lobbyist: [Kevin Bommer](#)

Updated 4/26/2019

Sustainability: Prohibition of Polystyrene Food Containers

SB 19-243 institutes a statewide prohibition by 2024 on take away polystyrene food containers offered by restaurants. It also provides the Colorado Department of Public Health and Environment regulatory and enforcement authority over the program.

Bill: SB 19-243, Prohibition of Polystyrene Food Containers

Sponsors: Sens. Dominick Moreno, D-Commerce City, and Mike Foote, D-Lafayette

Status: S. 2nd Reading

Position: Monitor

Lobbyist: [Morgan Cullen](#)

Updated 4/26/2019

TABOR: State Permanent Debrucing

HB 19-1257 will place debrucing question on the fall ballot and HB 19-1258, which would become effective only upon passage of the question, will specify how revenues retained above the state limitation would be distributed. The question would require a simple majority in both chambers to be placed on the ballot and would be known as "Proposition CC." A simple majority would be required to pass it. The implementing legislation would specify that any revenue retained would divided equally between K-12, higher education, and transportation/transit. While CML would certainly support better funding for education institutions in our communities, the key aspect is the transportation/transit revenue, which would be distributed through the HUTF formula (60-22-18) and 10% of the amount directed to the State Highway Fund will be available for transit or transit-related purposes. Depending on whether or not revenue is available, this provision has the potential to help with a lot of the needs identified last year by CML's survey on maintenance and project backlogs at the local level. It is worth

noting that it is not the reliable statewide solution the League continues to support, but it could certainly make a difference.

Bill: HB 19-1257, State Permanent Debrucing

Sponsors: Speaker KC Becker, D-Boulder; Sens. Lois Court, D-Denver, and Kevin Priola, R-Brighton

Status: S. 2nd Reading

Position: Support

Lobbyist: Kevin Bommer

Updated 4/26/2019

Telecommunications: Utilize Electrical Service Provider Infrastructure for Broadband

SB 107 allows rural electric cooperatives to lease existing dark fiber on their electrical utility easements to broadband providers without renegotiation of the underlying easement. Additionally, the bill provides landowners with a remedy process if damages have occurred. As noted before, during the negotiation phase, municipal utilities were removed from the legislation, this amendment neither helps nor harms members providing electrical utilities or those considering/beginning to develop broadband projects.

With these changes, CML is neutral on the legislation but remains active in the conversation to ensure towns and cities remain protected but also find some benefit from this legislation.

Bill: SB 19-107, Utilize Electrical Service Provider Infrastructure for Broadband

Sponsors: Sen. Kerry Donovan-D, Edwards; Dylan Roberts-D, Avon

Status: H. Rural Affairs & Agriculture

Position: Monitor

Lobbyist: Brandy DeLange

Updated 4/26/2019

Transportation: Address Impacts of Transportation Changes

SB 19-239 creates an interim stakeholder working group to look at the ongoing electrification of our transportation system as well as other ways Colorado residents are utilizing our infrastructure due to technological innovation. Among the stakeholders outlined in the bill, officials representing local governments are requested to be present to address infrastructure funding challenges at the municipal and county level. While the bill does provide a general framework to begin a conversations it specifically requests recommendations for new ways to raise revenue on commercial transportation companies like the trucking and ride sharing economies. The legislation requires the

interim task force to submit specific recommendations to the General Assembly in the fall.

Bill: SB 19-239, Address Impacts of Transportation Changes

Sponsors: Sen Faith Winter, D-Westminster, Rep. Matt Gray, D-Broomfield

Status: S. 2nd Reading

Position: Support

Lobbyist: Morgan Cullen

Updated 4/26/2019

© 2013 Colorado Municipal League

1144 Sherman Street Denver, CO 80203

(p) 303-831-6411 or 866-578-0936 | (f) 303-860-8175 |

cml@cml.org