



Counties across Colorado working to provide a unified, nonpartisan and independent voice at the statehouse. Collectively, CCAT represents all regions of the state and the diversity of issues facing every corner of Colorado.

Legislative Session Wrap-Up

May 22, 2019

Coming out of the 2018 election with control of the governor's office and both chambers of the legislature, Democrats started the session with an aggressive list of policy proposals on health care, the environment, firearms safety, election reform, middle class economic security and more.

The majority party achieved significant success in all those areas, although several key bills were amended to meet opponents' concerns or to make them more affordable. The highest profile measures were oil and gas regulation (SB 19-181), the "red flag" gun bill (HB 19-1177), the national popular vote bill (SB 19-042) and the climate action plan (HB 19-1261).

Democrats weren't unified all the time, although they weren't as fractious as some predicted before the session kicked off. Some significant failures were due to Democratic divisions, including the withdrawn measure to abolish the death penalty (SB 19-182) and defeat of the nicotine tax plan pushed by Gov. Jared Polis late in the session (HB 19-1333). And faced with heavy criticism before a bill even was introduced, the idea of allowing supervised drug injections sites was dropped by Democrats.

Republican comments about overbearing Democrats and the media narrative about partisan conflict ignore very real and significant bipartisan accomplishments in several areas, including school finance, other important education issues like full-day kindergarten, reform of the criminal justice system, affordable housing, and transportation funding.

CCAT Successes in 2019

Throughout the legislative session CCAT supported 20 bills of which all but one passed. CCAT also monitored 33 bills including the state budget process with a focus on issues that would affect counties, including human services and transportation. **Which brings the total number of CCAT bills to 53 for the session.** CCAT was once again an active voice for county government on most of the major issues before the legislature.

Key Policy Achievements

- CCAT spearheaded a stakeholder process reviewing and discussing policy ideas to address ***affordable housing*** that resulted in four major bills successfully passing through the legislative process.

- CCAT actively shaped the provisions of HB 19-1168: **Reinsurance Program**. The organization was also a key voice in local needs being addressed in other health care reform measures, such as pursuing a public option and local health cooperative.
- CCAT provided the only county voice in support of the **De-Brucing Bills** HB 19-1257 and HB 19-1258 which will be on the 2019 ballot and vital to begin untangling the stranglehold of Colorado’s fiscal constraints on local governments.
- CCAT acted as the only county voice in support of **SB 181: Protect Public Welfare Oil and Gas Operations** which will give local governments a greater voice and foster health and safety within the industry.
- CCAT elevated the voice of local governments on several important **human services** issues, and the FY 2019-20 budget process.

See below for a summary of bill by issue area and next steps

Legislative Success

➤ **Second Legislative Breakfast**

Ten legislators attended the breakfast as well as over 30 county commissioners and staff who were joined by Governor Jared Polis. Governor Polis was able to give members an overview of his legislative priorities and answer questions and address concerns from county commissioners.

➤ **Fiscal Reform Round Table**

CCAT was asked to participate in Speaker K.C Becker’s round table discussions on fiscal reform. The organization represented county and local government needs which were then present in both De-brucing bills HB 1257 and HB 1258.

CCAT Priority Legislation

Affordable Housing

HB 1228: Increase Tax Credit Allocation Affordable Housing

Sponsors: Representatives Bird & Titone and Senators Zenzinger & Tate

Bill Summary: The bill raises the cap of total allowed state tax credits for the Affordable Housing Tax Credit (AHTC) program from the current \$5 million dollars to \$10 million dollars. This investment will raise private sector equity needed to support the development and preservation of affordable housing.

Bill Status: Pending Consideration by the Governor

Dates: *The annual cap of \$10 million will begin on January 1, 2020-December 31, 2024*

HB 1319: Flexible Funding Opportunities and Incentives for Developers

Sponsors: Representatives Bird & McKean and Senators Winter & Hisey

Bill Summary: The bill has two main policy changes which support private and nonprofit developers in initiating and sustaining affordable housing projects. First, the bill requires an inventory of Public Lands Suitable for Affordable Housing Development. Second, the bill limits the “claw back” of property tax exemption fund for affordable housing projects. This will alleviate lenders’ concerns which hinder development of sorely needed housing.

Bill Status: Pending Consideration by the Governor

Dates: *List of undeveloped real property due to no later than October 15, 2019 and every year thereafter.*

HB 1322: Expand Supply Affordable Housing

Sponsors: Representatives Roberts & Will and Senators Moreno & Coram

Bill Summary: The bill establishes in the Division of Housing a new state fund to provide on-going and sustainable funding for programs and projects that improve, preserve, or expand the supply of affordable workforce housing in Colorado.

Bill Status: Pending Consideration by the Governor

Dates: *The State Treasurer will transfer \$30 million during the 2020-21 state fiscal year from the unclaimed property trust fund to the Division of Housing Grant Fund in the Department of Local Affairs.*

HB 1245: Vendor Fee for Low Income Housing

Sponsors: Representatives Weissman and Senators Gonzales & Foote

Bill Summary: Under current law, businesses can keep 3.33% of sales tax they collect for administration purposes. This bill would increase the vendor allowance to 4% and set a \$1,000 monthly cap on the amount businesses can keep. The savings would be transferred to the housing development grant fund within the Department of Local Affairs, which would be used to improve, preserve, or expand the supply of affordable housing in Colorado. This change would result in roughly \$8 million being invested in housing across Colorado in years one and two, with additional funding targeted toward other policy priorities, and \$45-50 million per year thereafter.

Bill Status: Pending Consideration by the Governor

Next Steps

- The Division of Housing will begin conversations with local governments on how best to allocate funding for affordable housing projects.

Health Care

SB 004: High Cost Insurance Pilot Program

Sponsors: Senator Donovan and Representatives Roberts & McCluskie

Bill Summary: This bill provides an opportunity for a pilot program for individuals in a designated area to partake in the group medical plans offered to state employees. These individuals would be limited to Garfield/Eagle counties within the designated service area, and to a limited number of individuals whose income is between 400-500 percent below the poverty line. This bill would also allow health care cooperatives in the state to incorporate consumer protections such as coverage for preexisting conditions and to encourage consumers to help control health care costs by negotiating rates on a collective basis directly with providers.

Bill Status: Pending Consideration by the Governor

HB 1004: Proposal for Affordable Health Coverage Option

Sponsors: Representatives Roberts & Catlin and Senator Donovan

Bill Summary: This bill provides an opportunity to study a state-backed option and analyze various factors with the ultimate goal of creating an affordable, competitive state-backed option for health care coverage regardless of income level or geographic location.

Bill Status: Pending Consideration by the Governor

HB 1168: State Innovation Waiver Reinsurance Program

Sponsors: Representatives McCluskie & Rich and Senators Donovan & Rankin

Bill Summary: The bill authorizes the Division of Insurance to apply for a federal waiver to implement and operate a state reinsurance program. This program is established as an enterprise and will draw down federal funds to assist health insurers pay high cost insurance claims. The savings to insurance companies will be directed to the highest cost regions in Colorado.

Bill Status: Pending Consideration by the Governor

Next Steps

- The Division of Insurance will now be working on submitting their application for a federal waiver to fund the state reinsurance program, we expect to have more updates end of summer/early fall.
- HCPF and the Division of Insurance will have a proposal outlining the feasibility of implementing a state option to present to the JBC by no later than November 15, 2019.
- The Division of Insurance will likely be creating materials on how communities can establish local health cooperatives; we will then pass this information along to CCAT members.
- New Health Interim Committees; ***Committee on Affordable Health Care*** and ***Committee on Health Care Market Competition***
<https://leg.colorado.gov/content/committees>

Fiscal Reform

HB 1257: Voter Approval to Retain Revenue for Education & Transportation

Sponsors: Speaker Becker & Representative McCluskie and Senators Court & Priola

Bill Summary: The bill places a referendum question on the ballot to Colorado voters in November of 2019 that would withhold TABOR tax refunds and instead use these funds to provide additional support to statewide projects.

Bill Status: Pending Consideration by the Governor

HB 1258: Allocate Voter-Approval Revenue for Education & Transportation

Sponsors: Speaker Becker & Representative McCluskie and Senators Court & Priola

Bill Summary: This bill addresses where the money would go should the ballot measure outlined in HB 19-1257 pass. The funds from that bill would then be used to support projects that must be related to: roads, bridges, and transportation, K-12 Education, and/or Higher Education. Local Governments will be given a portion, one third, of the available funds so that local communities are able to address their priority needs directly.

Bill Status: Pending Consideration by the Governor

Next Steps

- HB 1257 allows for a ballot question to go to voters on the 2019 ballot. We will continue to update CCAT members as more details on the campaign emerge.

Human Services

CCAT supported additional funding for both Child Welfare and CCCAP programs via the [Long Bill](#) for FY 19/20, as well as several human service bills to address gaps and challenges in the current system.

HB 1308: Foster Care Prevention Services

Sponsors: Representatives Singer & Landgraf and Senators Moreno & Rankin

Bill Summary: The bill alters current law to accommodate new federal standards on the Family First Prevention Services Act (FFPSA). The bill lays the statutory foundation for FFPSA implementation to occur in Colorado as soon as possible, putting definitions in statute and authorizing the state to implement the major provisions of FFPSA. Counties and the State together have laid important groundwork in building prevention and intervention services that help families be successful and have significantly reduced out-of-home placements statewide for better outcomes for children and youth.

Bill Status: Pending Consideration by the Governor

Other

SB 181: Protect Public Welfare Oil & Gas Operations

Sponsors: Senators Fenberg & Foote and Speaker Becker & Representative Caraveo

Bill Summary: This bill updates current laws drilling by prioritizing health and safety, giving local communities a say, and ensuring clean air. The bill had two key parts first to clarify that the mission of the Colorado Oil and Gas Conservation Commission (COGCC) is to regulate oil & gas activities, not to foster the development of oil & gas development as statute currently reads. The bill also gives local governments the ability to regulate oil and gas operations including land use, surface impacts, siting and nuisance.

Bill Status: 4/16 Signed by Governor

HB 1210: Local Government Minimum Wage

Sponsors: Representatives Melton & Galindo and Senators Danielson & Moreno

Bill Summary: The bill will allow local jurisdictions to adjust the minimum wage in their communities to more effectively address their local cost of living. Because living costs vary considerably among different communities in Colorado, the bill allows localities to determine the minimum wage that best works for them. The bill caps the number of local governments at 10% and requires reporting by the Department of Labor and Employment.

Bill Status: Pending Consideration by the Governor

Next Steps

- They are beginning to determine who will be on the Colorado Oil and Gas Conservation Commission (COGCC) and once that is done both the COGCC and the Air Quality Control Commission will begin the rule making process. CCAT members will have the ability to be a part of the processes. More information will be provided soon.

BILL MATRICES

- [Detailed Matrix](#): Detailed view of bills, with hyperlinks to more information – bill versions, fiscal notes, engaged lobbyists, history, etc.

Note that these matrices are confidential work products of Counties and Commissioners Acting Together and are not intended to be shared beyond your organization. These are dynamic links with the most up-to-date information on the bills as they move through the process, and can be accessed from any internet source. These will be your exclusive hyperlinks for the session, we encourage you to bookmark them for future use.

Looking Ahead

CCAT Calendar

- June 5-6: Retreat: Strategic Planning & Policy Priority Discussion
- October-TBD: Meet to discuss 2020 Legislative Agenda

CDOT Transportation Conversations-TBD: Will conduct meetings in all 64 counties including five regional meetings to discussion local transportation needs and concerns. We will update you as we learn more details.

Interim Committees

<https://leg.colorado.gov/content/committees>

The General Assembly created eight (8) new committees will meet over the interim:

- Committee on PTSD Support for Peace Officers
- Committee on Zero Waste
- Committee on Tax Expenditure Evaluation
- Committee on Investor Owned Utilities Energy Choices
- Committee on Affordable Health Care
- Committee on Making Higher Education Attainable
- Committee on Prison Population Management
- Committee on Health Care Market Competition

Additionally, eight (8) standing interim committees were reapproved:

- Sales and Use Tax Simplification Task Force
- Early Childhood and School Readiness Commission
- Transportation Legislation Review Committee
- Opioid & Other Substance Use Disorders Study Committee
- Wildfire Matters Review Committee
- Committee on Water Resources
- Committee on Wildfire Matters
- Committee on School Finance

Each interim committee will meet 5-6 times over the coming months, and each has been authorized to propose 2-3 bills to the General Assembly for the 2020 session.