



## Highlights of the Week

Although the 2017 Legislative Session didn't officially kick off until Wednesday, January 11<sup>th</sup>, the capitol was a flurry all week with legislative Smart Act hearings held all day Monday and Tuesday as well as the JBC finishing up their briefing and hearings that began in November. The legislative Smart Act hearings provide legislators with an opportunity to hear from state agencies about their performance over the last year, their strategic plan for the upcoming year, and budget request that will go before the General Assembly. Due to a law change in 2014, all Smart Act hearings finish before the start of the legislative session which is why outgoing, current, and incoming members were booked in committees to start the week.

With a contested election behind them, 100 legislators said the pledge of allegiance and watched on as 28 freshman swore their oath to uphold Colorado's constitution and joined their rank. President Grantham, Speaker Duran, Senate Minority Leader Guzman, and House Minority Leader Patrick Neville all committed to putting Colorado first. During their opening day speeches each highlighted a need to address Colorado's failing infrastructure through reprioritizing the current budget and looking into potential new revenue streams for transportation funding. They all hit on the importance of increased funding for education and emphasized preparing Colorado's students for the thousands of open jobs in the skilled trades. There were other areas where policy priorities clearly differed. President Grantham listed out his caucuses' six priorities bills – two of which loosen current gun laws and another to repeal Connect for Health Colorado, Colorado's tax funded health insurance exchange. Minority Leader Guzman asked the General Assembly to consider enterprising the Hospital Provider Fee and Minority Leader Patrick Neville said he intends to expand the rights of gun owners and protect life and freedom of religion.

The Governor followed with his State of the State address on Thursday morning. He lauded Colorado for its fierce independence, economic success and vitality, as well as commitment to all people. He articulated a desires to also address infrastructure needs of the state, transportation and broadband as well. Governor Hickenlooper reiterated his call to enterprise the Hospital Provider Fee although he realized it isn't popular amongst those in the General Assembly and warned that if Colorado does not begin to deal with budget pressures it could negatively affect the state's future. He rounded out his speech by promising to defend the Affordable Care Act and only adopt a replacement that keeps just as many individuals covered. Governor Hickenlooper is entering his second to last year as Governor and everyone at the capitol is watching closely to see if any of his actions hint at what might be next for him.

The first week of the 71<sup>st</sup> General Assembly wrapped up with a speech by Colorado Supreme Court Chief Justice Rice. Legislators then headed home for a long weekend as the legislature is taking off Monday in honor of Martin Luther King Day.

## Bills of the Week

**Construction Defects Reform** The first attempt to solve the concerns and numerous issues that have arisen from construction defect actions was introduced on Wednesday. In a construction defect action in which more than one insurer has a duty to defend a party, SB 045 requires the court to apportion the costs of defense,

including reasonable attorney fees, among all insurers with a duty to defend. An initial order apportioning costs must be made within 90 days after an insurer files its claim for contribution, and the court must make a final apportionment of costs after entry of a final judgment resolving all of the underlying claims against the insured. An insurer seeking contribution may also make a claim against an insured or additional insured who chose not to procure liability insurance for a period of time relevant to the underlying action. The legislation is sponsored by President Grantham, Senator Williams, Speaker Duran, and Representative Wist. It's expected that this is only the first of several bills attempting to address construction defect related issues.

**HB 1001** The first bill introduced by each chamber represents the majority party's priority in that chamber for 2017. This year House Democrats first bill is: Parental Leave to Attend Children's Activities by Representative Janet Buckner. The legislation reenacts 2009 law which allowed parents to take leave from work for the purpose of attending academic activities for or with the employee's child. The academic activities included parent-teacher conferences or meetings related to special education services, interventions, dropout prevention, attendance, truancy, or discipline issues. The bill limits the leave time to 6 hours per month and 18 hours in any academic year. Similar legislation has died in the Republican controlled Senate the last two years.

**SB 001** The Senate Republican's first bill is the Regulatory Relief Act of 2017. Sponsored by Senator Neville with all other Senate Republicans signed on as co-sponsors, SB 001 requires a state agency to give a small business (which is defined in the "State Administrative Procedure Act" as a business with fewer than 500 employees) a period of time to cure a first-time minor violation of a rule instead of enforcing the rule by imposing a fine. Republicans in the House and Senate have run similar legislation for the last half decade without success. Both President Grantham and House Minority Leader Neville made deregulation a top priority for this session.

**Healthy Families and Military Preparedness Act** SB 028 sponsored by Senator Bob Gardner and Representative Dan Nordberg from Colorado Springs authorizes the state and county departments of human services to enter in to MOU's with military installations for the purpose of better serving children and families within the military and child welfare system. The legislation also requires county departments of human services to share information with Department of Defense military installations regarding reports of known or suspected instances of child abuse and neglect that involve members of the Armed Forces. This legislation will support the development of more consistent practices allowing for better coordination of local child welfare and military protective and rehabilitative services in support of military children and families.

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