



Under the Dome, Week 12

Highlights of the Week

The FY 2017-18 budget, SB 254 was introduced and debated in the Senate this week along with 12 budget orbital bills. The Senate worked on the floor until nearly midnight on Wednesday, debating 45 different amendments to the budget. Amendments ranged from defunding private prisons and putting the money into K-12 education, providing \$3 million from the marijuana tax cash fund for film incentives, transferring \$3 million from tourism promotion from film incentives, extra funding for family planning through CDPHE, transferring money from the high cost fund for rural broadband, among many others. Despite the long debate, ultimately only five amendments were successful. The amendments included:

- \$745,000 for the Healthy Kids Colorado Survey (a request that died repeatedly on a 3-3 vote during JBC figure setting)
- \$16 million to the Department of Local Affairs for Affordable Housing grants to help homeless individuals (This was a top priority of the Governor's Office)
- \$5.1 million in federal funds for the State Health Care Exchange (a request that died repeatedly on a 3-3 vote during JBC figure setting)
- \$44,000 to implement the medical aid in dying law (a request that died repeatedly on a 3-3 vote during JBC figure setting)
- Eliminate a 3% salary hike for judicial officers

Thursday morning, the \$26.8 billion budget passed the Senate 30-5 with Senators Aguilar, Kerr, Donovan, Jones, and Hill (4 Democrats and 1 Republican) voting no. The budget will be introduced in the House Monday and is scheduled to be debated next week.

On Monday before the budget work began, the Senate debated HB 1220 which would limit residential marijuana grows. After a compromise was reached in the Senate Judiciary Committee, HB 1220 passed the Senate floor unanimously and the House concurred with Senate amendments and repassed the bill unanimously Friday. The companion bill, HB 1221, is still waiting to be heard in the Senate Appropriations Committee.

This week, the Senate also passed HB 1184: Modern Technology in Public Schools 31-4 and HB 1138 : The Hate Crimes Reporting Act 23-12. HB 1184 requires the State Board of Education to incorporate standards related to modern technology and communications technologies. The Hate Crimes Report Act which had the support of the Jewish Community Relations Council and the Anti-Defamation League, requires the Department of Public Safety to include information about bias motivated hate crimes reported to the Department of Law in their SMART Act report to the legislature.

While the Senate was busy with the budget, the House took up many big ticket items in an effort to clear out the calendar before the budget headed their way. The House spent the majority of Wednesday morning debating HB 1256 which would change the setback requirement for oil and gas facilities from

the school building to the school property line. Representative Foote, the sponsor of the legislation, took the lead arguing why it was an important change. The bill passed the House floor on a party line vote and now heads to the Senate where its future is uncertain.

HB 1242 which aims to refer a measure to the 2017 ballot to raise sales tax by .62% to fund statewide transportation needs started the week in the House Finance Committee and ended the week with a final vote in the House. The debate on the right formula and distribution of money raised via a sales tax increase was fierce. Press coverage of an interview with the Colorado Department of Transportation indicating CDOT has the ability to charge tolls even if a sales tax increase is approved frustrated legislators and added fuel to the opposition. HB 1242 ultimately passed the House on a vote of 41-24 with Republican Representatives Catlin, Covarrubias, Lawrence, and Thurlow voting yes along with all of the Democrats. The bill now heads to the Senate where Senate President Kevin Grantham takes over as sponsor. The House Transportation Committee also considered legislation to authorize autonomous vehicles to operate in the state of Colorado. SB 213 passed the committee with only one no vote and is waiting to be heard on the House Floor.

Bills of the Week

Sustainability of Rural Colorado This week the much anticipated bipartisan hospital provider fee bill was introduced in the Senate by sponsors President Pro Tem Sonnenberg, Minority Leader Guzman, House Majority Leader KC Becker, and Representative J. Becker. The bill would enterprise the hospital provider fee, lower the TABOR spending cap, require OSPB to consider 2% cuts from all state agencies in the next fiscal year, redirect the SB 228 funding from the HUTF to rural schools (an estimated \$400 million), execute lease purchase agreements for eligible state buildings and utilize the proceeds for a \$1.35 billion transportation and construction bond to benefit rural projects in counties with populations of 50,000 or less. SB 267 has something for everyone to love and hate. Passage of the bill would have dramatic impacts on the current budget, and its expected the introduced version will change through the process. The bill is waiting to be heard in the Senate Finance Committee.

Prohibition on Withholding Student Transcripts Freshman Legislator Representative Dafna Michaelson Jenet and Senators Chris Holbert and Rhonda Fields brought forward legislation to change a state law that allows a school to withhold a student's transcripts. Under current law, a school or school district is able to withhold student records that may be required to enroll in another school or a higher education institution because the student has outstanding student fines (such as a library fine or a fine for losing a textbook). The bill will have its first hearing in the House Education Committee on April 10th.

Criminal History on Job Application HB 1305 is the third attempt in the last few years to decrease recidivism by making sure employers don't reject an applicant because of a previous criminal record. The bill as introduced prohibits an employer from advertising that someone with a criminal history can not apply for a position, stating in an employment application that someone with a criminal history can not apply, and asking on an initial application about someone's criminal record. Unlike previous versions of the bill, it does exempt positions that can't hire those with a criminal history under current law (such as positions at financial institutions). HB 1305 also specifically doesn't create a protected class under employment antidiscrimination laws. Representatives Foote and Melton are the sponsors of the bill.

Affordable Housing in Colorado On Friday, House Democrats announced a new affordable housing package – not at all related to construction defect litigation reform. HB 1309 increases the document fees for real estate property transactions by one cent per \$100 valuation which is estimated to generate \$9-\$10 million per year to create and rehabilitate housing options for rent and purchase for low income

Coloradans. The bill has bipartisan sponsorship. HB 1310 limits the application fee on rental apartments. The goal is to ensure the fee just covers the cost of a credit report, reference check, etc. HB 1311 will require developers to notify buyers of new homes what the property tax on the property will be so buyers are prepared. Representatives Exum and Benavidez would give renters the right to request a copy of their lease and to receive receipts if they pay for their rent with cash. Lastly, SB 245 by Senator Priola and Representative Pabon requires rental operations to give their tenants a 21 day notice of a rent termination or increase if they are on a six month or less lease.

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