



Don't forget to check out the online tracking report:

<http://statebillinfo.com/SBI/index.cfm?fuseaction=Public.Dossier&id=20215&pk=619&style=pinstripe>

## Highlights of the Week

On Thursday, the General Assembly hit the 100 day mark in the 2015 legislative session. So far, 697 bills have been introduced with more to come. Of those, 179 have been killed and 135 bills have been signed by the Governor, leaving the majority of action on bills to these final weeks. The Governor has 30 days after the legislative session to sign or veto legislation that passes after April 27.

The Senate kicked off the week by passing SB 177, Construction Defects Reform. The bill passed on a vote of 24-11 with Democrat Senators Garcia, Johnston, Hodge, Jahn, Ulibarri, and Steadman joining Republicans to pass the bill. The bill hasn't yet been introduced in the House. The Speaker has expressed concerns that the bill goes "too far." The House Education Committee and House Appropriations Committee both passed HB 1323, the Standards and Assessments bill from the House, with strong bipartisan support. The legislation largely reflects the recommendations of the HB 1202 taskforce to streamline and reduce testing in grades K-12. The Senate testing reduction bills, SB 257 and SB 233, both passed Senate Appropriations Friday. SB 257 has bipartisan sponsorship and support. HB 1317 Pay for Success legislation quickly moved through the House this week. It was heard and approved unanimously by the Business Committee on Tuesday, received approval from the Appropriations Committee on Friday morning, and then received accolades from both sides of the aisle when it was debated on special orders on the House floor Friday.

On Thursday, the Governor released a letter to legislative leadership outlining a "five point plan" to address critical funding issues in the state related to TABOR. The plan would continue TABOR refunds for the next two years restructuring the pay outs to benefit the middle class and move the Hospital Provider Fee to an enterprise in 2016-17. Under Hickenlooper's plan, the change in the HPF status would allow for a full pay out of SB 228 transfers to the Highway Users Trust Fund and capital construction, transfer \$50 million to K-12 education in FY 2016-17 to buy down the negative factor, and repay the severance tax used to balance the budget this year as well as \$75 million of the HPF money that was transferred to the General Fund during the recession. The plan has received mixed response and negotiations with legislative leadership continue

The bipartisan workforce development package continued to move forward this week. On Thursday, the House gave final approval to HB 1230 Innovative Industry Workforce Development Program, HB 1231 Enhanced Unemployment Compensation Benefits, HB 1274 Creation of Career Pathways for Students, HB 1275 Career and Technical Education in Concurrent Enrollment, and HB 1276 Skilled Worker

Outreach, Recruitment and Training. The Senate passed HB 1271 Mobile Learning Labs on second reading Friday.

SB 129, which created a presumption in law that parents should start at an equal 50-50 parenting time, was killed in the House Judiciary Committee. Victims advocates, child family investigators and family law practitioners came out in droves to oppose the bill and walk the committee through its unintended consequences. When the committee ended at 1am Democrats and Republicans came together to kill the bill.

One "to do" off the list is the FY 2015-16 budget. The Joint Budget Committee Conference Committee met this week to finalize and balance the budget. In the end, Colorado's budget which totals out at \$26 billion, increases the reserve by \$613 million, a 2.8% increase in funding for K-12 education, keeps whole the promise of SB 228 to fund transportation and capital construction at percentages defined in statute (despite only half transfers because of TABOR refund implications), a 1.7% increase in provider rates, \$7 million for additional child welfare workers, and a \$105 million increase for higher education. One controversial amendment that was stripped off in conference committee was \$5 million for the Long Acting Reversible Contraceptive program under CDPHE. CDPHE tried to get the money for the program through the budget because Senate Leadership has indicated that the bill (1194), which will appropriate \$5 million for CDPHE's Long Acting Reversible Contraceptive Program won't likely make it through its first Senate Committee. The bill did pass on House second reading Friday. The final version on the budget received overwhelming support. There were only 2 no votes in the Senate and 20 no votes in the House.

## Bills of the Week

**Sales and Use Tax for Rural Broadband** SB 222 by Majority Leader Scheffel passed out of the Senate Appropriations Committee on Friday 5-2. The bill increases the refund that broadband internet providers can claim as a state sales tax and use refund for equipment used to provide broadband services for rural areas in Colorado. The current refund is capped at \$1 million, and this bill would lift the cap to \$5 million. SB 222 builds upon the work done last year when the legislature approved a comprehensive telecom reform package.

**Homeless Bill of Rights** Representative Salazar brought forth HB 1264 which establishes a set of rights for homeless individuals. These rights include right to sleep in public spaces, occupy a legally parked car, and maintain privacy over personal property. The bill also creates a private right of action for civil relief if a person's rights under the bill are being violated. The bill was up for hearing on Wednesday, however, time ran out so only a handful of witnesses were able to testify. Proponents include the ACLU, Urban Land Conservancy and a mix of homeless rights organizations. Primary opponents include the city of Denver, Colorado Municipal League, Denver Metro Chamber of Commerce, and Colorado Competitive Council.

**Differential Response Continuation** In 2010, the legislature passed legislation to set up a differential response pilot program five counties, funded through federal funds. The pilot program was expanded to additional programs in 2012. Differential response is an evidence-based alternative approach to traditional investigation in child welfare for accepted reports of abuse or neglect for families that enter the child welfare system. HB 1358 by Representative Singer would remove the repeal of the program, in recognition of the success achieved with this approach. The bill has strong support from Colorado

Counties Inc and it scheduled to be heard in the House Public Health Care and Human Services Committee on Tuesday.

**Storm Water Facilities and Water Rights** The Senate Agriculture Committee met into the evening on Thursday listening to testimony for and against SB 212. SB 212 specifies that storm water detention and infiltration facilities, and post-wildland fire facilities that detain water for environmental and public safety purposes, do not injure vested water rights. It also specifies that water detained by these facilities cannot be applied to any beneficial use or used to form the basis for any claim to or for the water. Several farmers and ranchers came out to oppose the bill due to concerns of unintended consequences of such a bill. The sponsor, Senator Sonnenberg, decided to lay the bill for action at a later date.

Mary Marchun

THE CAPSTONE GROUP LLC

---

[mmarchun@capstonegroupllc.com](mailto:mmarchun@capstonegroupllc.com)

1576 Sherman Street Suite 300 | Denver, CO 80203

C: 303.594.8198 P: 303.860.0555 F: 303.863.8207