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## Highlights of the Week

*Reminder that the Colorado Legislature will be closed for business on Monday for Presidents Day, we will start again on Tuesday at 10:00 a.m.*

The Senate floor was the place to watch controversial policy debated this week. The Senate took up two hotly contested measures: SB 077, the Parents Bill of Rights, and SB 161, Supplementals for the Department of Revenue. The Parents Bill of Rights, sponsored by Senator Neville, sought to reassert parents' rights to decide what their children learn in school and what health care and mental health care they receive. The main outcomes of the legislation if it passed would be to prevent teenagers from receiving birth control without parental consent, and create a criminal penalty for physicians or mental health professionals providing care to a minor without a parent's approval. The legislation also confirmed that parents are able to exempt their children from immunizations and remove their child from sexual education classes. Democrats argued that the legislation doesn't protect children and will have unintended consequences, while proponents countered that the legislation was only preventing government intrusion into parenting. The bill passed on a partisan vote of 18-17. Two Republicans broke with their caucus to support an amendment that allowed mental health services to continue to be available through school based health clinics. SB 077 is headed to the House next week where it will likely meet a swift death in the Democrat-controlled chamber.

***On Wednesday, the much anticipated Construction Defects Reform legislation, SB15-177 was introduced. The bipartisan sponsors of the bill include Senate Majority Leader Mark Scheffel, Senate Minority Caucus Chair Jessie Ulibarri, House Minority Leader Brian DelGrosso, and Representative Jonathan Singer. Over the interim, the Homeownership Opportunity Alliance revved up the pressure on this important issue, getting sign off from a diverse and significant group of stakeholders in support of the bill. The primary opponents are the Colorado Trial Lawyers Association as well as home owners associations. The bill will likely pass the Senate with strong bipartisan support, however, its future in the House is unclear. Speaker Dickey Lee Hullinghorst has been clear about her grave concerns with this approach and her preference***

***for other ways to increase the stock of attainable for-sale housing. Republicans on the Joint Budget Committee on Thursday sent a message to Democrats by refusing to approve a request by the Division of Housing to increase funds by \$3.4 million for the Housing Development Grant Loan Program. The motion died on a 3-3 party line vote. Expect the debate on affordable housing to continue throughout legislative session.***

Annual supplemental bills for state agencies usually move through the process quickly with easy votes and little discussion, but the supplemental for the Department of Revenue this year was a different story. In the first of likely many partisan disagreements on the JBC, the committee decided to not increase funding for the undocumented drivers' license program through the Division of Motor Vehicles. The system is already being overloaded and without the increase in funds, only one office will be able to serve undocumented individuals who would like to get a driver's license. Thursday on the Senate Floor, Democrats ran an amendment to add back in the funding. This ignited a two hour debate back and forth about immigration policy in the United States. The conversation did not always remain civil. The amendment failed on a party line vote in the Senate, but expect to see it added in the House. If the House makes any changes, the members of the Joint Budget Committee will meet as a conference committee to once again take up the issue. If they can not make a decision and the vote continues to be 3-3, the bill dies and doesn't move forward, which would mean the Department of Revenue wouldn't receive any of the funds contained in the supplemental for a wide range of programs. Stay tuned for the outcome of this preview on how the JBC, evenly split down partisan lines, will work through philosophical differences to balance the state's budget.

Gridlock at the JBC and the Capital Development Committee, which also has an even number of Democrat and Republican members, were a primary focus this week. The Capital Development Committee met three times this week to hash out their list of capital funding priorities. Every year, the Colorado Commission on Higher Education submits a priority list, as does the Office of State Planning and Budgeting. Then the Capital Development Committee approves a list which goes before the Joint Budget Committee. On Thursday morning, three new lists (in addition to the OSPB and CDC staff lists) were presented. Two of the lists, one by Representative KC Becker and one by Senator Sonnenberg, were voted on and they both died on a 3-3 partisan vote. The main point of contention was which higher education institution should receive the top tier of funding and whether or not all projects should be phased in, instead of being paid for all at once. On Friday, the CDC met a final time and reached a compromise, which passed with unanimous approval.

## **Bills of the Week**

**Application of State Water Law to Federal Agencies** On Thursday, the Senate Agriculture Committee considered SB 064 by Senator Sonnenberg. The bill prohibits the US Forest Service and the Federal Bureau of Land Management from placing conditions on special use permits for right of way on federal land in certain circumstances. SB 064 had strong support from a variety of organizations including Vail Resorts, the Colorado Farm Bureau, the Colorado Water

Conservation Board and others. The bill passed out of committee 8-1 with Senator Jones as the sole no vote.

**Increasing Post-Secondary and Workforce Readiness** Through the session interim, legislators on both sides of the aisle expressed a desire to address the workforce shortfall in the skilled trades. HB 1170 by Representative Kraft-Tharp, Representative Jim Wilson, Senator Owen Hill, and Senator Rollie Heath is one attempt to do that. Currently, schools and districts are measured by two indicators: closing the achievement gap, and postsecondary and workforce readiness. The bill adds the percentages of high school graduates who enroll in a career and technical education program, community college or 4-year institution of higher education in the school year immediately following graduation, as a measure for each of the indicators, . The bill is scheduled to be heard by the House Education committee on Wednesday, February 25<sup>th</sup>.

**Preserving Parent Child Relationships** SB15-129 by Senator Lundberg was heard in the Senate Judiciary Committee Wednesday. The bill makes changes to the standards and procedures used in domestic relations cases for issues related to parent-child relationships in divorce. The bill requires that the courts order a substantially equal allocation of parenting time in domestic relations cases, unless it would endanger the child's physical health or impair their development. The bill, as introduced, also modified the procedures for Child and Family Investigators, requiring them to conduct an objective investigation and only provide factual information to the court with no conclusions or recommendations. This is a huge departure from current practice. This was removed through amendments to the bill in committee. The legislation passed 3-2 with Senator Guzman and Senator Merrifield voting no. It will next be heard in the Senate Appropriations committee.

**Prescription Give Back for Institutions** Under current law, facilities licensed by the Department of Public Health and Environment are permitted to donate unused medications only in the event of natural or other disasters. HB 1039 by Representative Tyler and Senator Neville removes this restriction, allowing licensed facilities and prescription drug outlets to donate unused medications, medical supplies, and used or unused medical devices to nonprofit entities that have legal authority to possess such

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