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Highlights of the Week

Despite only a four day week because of President's Day, the Senate kept themselves plenty busy, hearing a number of controversial bills on the floor. After hours of floor debate about the constitutionality of the bill, Republicans passed a measure that would allow individuals 21 or older to conceal carry an unloaded gun without a permit. Currently, to conceal carry, an individual must apply for a permit with their county sheriff. Debates related to gun issues are will continue, when the Senate Judiciary Committee hears SB 175 on Monday. This measure would repeal the ban on large-capacity ammunition magazines. The bill has Democrat co-sponsorship including Senators Donovan and Garcia as well as Representative Vigil. Similar legislation introduced in the House failed to make it through committee.

Typically mundane JBC supplemental legislation caused fireworks once again this week in the House and the Senate. The supplemental request for the Department of Public Safety included money to reduce waiting times for background checks for concealed carry permits. The Senate stripped off that provision, which was then added back in the House. Although the Republicans in the House initially opposed the amendment to add back in the money to reduce wait times, they did unanimously pass the bill. Republican Senators are opposed to the amendment because they don't believe the estimates from the administration about the wait time and backlog. When the legislation returned to the Senate, they adhered to their position and sent the bill back to the House. The bill was laid over for final action until the first week of March until another solution can be found. A similar scenario is about to occur with the supplemental request for the Department of Revenue because of a provision to increase funding for drivers licenses for undocumented individuals. The JBC meanwhile is hard at work setting the FY 2015-16 budget. This week they completed figure setting for the Judicial Department, the Department of Agriculture, the Department of Public Safety, and part of the Colorado Department of Public Health and Environment. During the hearing for the Department of Public Health and Environment, JBC staff recommended general fund monies to subsidize the Water Quality Control Division due to insolvency of the Water Quality Control Fund. Over the summer, stakeholders from the Department and permitted industries met to try to develop a solution for

the insolvency of the Water Quality Control Fund. However, despite more than 50 meetings, no consensus was reached. The JBC was visibly frustrated that the stakeholder process was not effective. JBC staff suggested a performance and financial audit of the Division but the JBC tabled the item for the time being.

Although more than 400 bills have been introduced, there is still much more to come. The Police Brutality and Reform package is expected to be introduced within the next two weeks. Bills include potential body cameras for law enforcement, new laws related to resisting arrest, a rework of detention policies, ability to record conversations with law enforcement, and more. On Wednesday, SB 185, Police Data Collection and Community Policing, by Senator Johnston and Representative Fields was introduced. The bill will require the Colorado Commission on Criminal and Juvenile Justice to convene an advisory committee to study community policing practices and create a report regarding best practices. The bill also requires law enforcement agencies to report data on stops, arrests, and information on the race, ethnicity, and gender to the Division of Criminal Justice. The General Assembly is also waiting for the 2015 School Finance Act to be introduced. Senate Education Chairman Owen Hill initially planned to release it last week, but delayed at the request of JBC Chairman Kent Lambert. The education community is also awaiting the introduction of a bipartisan bill to implement the recommendations of the HB 14-1202 Assessments Taskforce. In the meantime, alternative bills to eliminate and decrease testing continue to be introduced. Outside of the Capitol, the State Board of Education voted on Wednesday to eliminate penalties for school districts that don't meet the federal requirement of 95% participation in testing.

Bills of the Week

Eliminating Punitive Damages for Small Business On Thursday afternoon, the House Judiciary Committee considered HB 1172 by Minority Leader DelGrosso. The legislation would have removed the punitive damages provision from the Job Protection and Civil Rights Enforcement Act of 2013. The 2013 bill allowed a plaintiff suing his or her employer in state court—no matter the size of the employer—in an employment discrimination case to seek awards of both compensatory and punitive damages and recover attorneys' fees, among other remedies. HB 1172 had strong support from the business community, but died on a 7-6 party line vote with majority party Democrats opposed.

Patient Choice in Pharmacy to Fill Prescriptions On Friday morning, the Senate floor engaged in a lively debate and vote on SB 123. The legislation by Senator Crowder, created a process for local pharmacies to attest that they are able to fill prescriptions in compliance with state and federal law and accept the payment terms for specialty drugs and biological products provided by health plans for existing network pharmacies. The bill received strong opposition from the insurance industry and business chambers. Although the bill initially passed second reading of the Senate on a division vote, it was later killed by a Committee of the Whole amendment.

High Performance Transportation Enterprise Accountability Public Private Partnerships are one of many tools the state of Colorado uses to fund infrastructure improvements. This time last year, the P3 agreement on US 36 made headlines and resulted in lawmakers bringing legislation that the Department of Transportation argued would thwart future P3 projects. The legislation passed in 2013 was vetoed by the Governor, who then issued an executive order implementing some of the bill's provisions related to transparency and public process. Bill sponsor Senator Matt Jones argued the Executive Order wasn't adequate and introduced a similar bill this session, SB 172. The legislation was killed in the Senate Transportation on Thursday.

Student Data Privacy Republican Senator Chris Holbert and Democrat Representative Dan Pabon are sponsoring legislation related to protecting student data. This has become a hot button issue over the last few years. SB 173 adds protections to existing law concerning student data privacy. It sets out a list of do's and don'ts for vendors who collect the data. Other bills related to student data privacy have been set aside in anticipation of this bi-partisan measure. The bill will be heard in the Senate Education Committee on Wednesday.

Safe Harbor for Human Trafficking Victims For the last two years, human trafficking has been a prominent focus at the Capitol. Due to the intersection of I-70 and I-25, the state of Colorado sees a significant amount of human trafficking. Representative Lundein introduced HB 1019 this year to provide safe harbor to victims of human trafficking. Safe harbor means the victim would be protected from any prosecution. Though the concept had solid support, concerns were raised that this policy has resulted in unintended consequences in other states. In committee Wednesday, the sponsor offered a strike below amendment to instead direct the Human Trafficking Council to review and study safe harbor and return with recommendations. With the amendment, the bill passed the Judiciary Committee unanimously.

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