

**GRAND JUNCTION CITY COUNCIL  
SPECIAL MEETING AND EXECUTIVE SESSION**

**MONDAY, MARCH 31, 2014, 5:00 P.M.**

**ADMINISTRATION CONFERENCE ROOM  
2<sup>ND</sup> FLOOR, CITY HALL  
250 N. 5<sup>TH</sup> STREET**

*To become the most livable community west of the Rockies by 2025*

**EXECUTIVE SESSION TO CONFER WITH AND RECEIVE LEGAL ADVICE FROM  
THE CITY ATTORNEY REGARDING STRATEGIES ABOUT AND OUR POSITION  
RELATIVE TO THE RECENTLY FILED ACLU LAWSUIT, UNDER SECTION 402 (4)  
(B) OF THE OPEN MEETINGS LAW**

**[Supplemental documents presented](#)**

**City Council Legislative Update**  
**March 31, 2014**

**Post-Traumatic Stress Disorder (PTSD) Bill**

House Bill 14-1343 (page 12) was introduced last week and is scheduled for its first committee hearing on Wednesday. Associated Governments of Northwest Colorado and the Colorado Municipal League strongly oppose this legislation (position papers attached).

**Employer Paid-Benefits to a Firefighter for Cardiac and Circulatory Malfunctions**

Senate Bill 14-172 (page 13) was introduced today and requires local governments and special districts to provide employer-paid additional insurance policies to make specific payments to firefighters who experience circulatory or cardiac malfunctions within 48 hours of a work event. Associated Governments of Northwest Colorado and the Colorado Municipal League oppose the legislation.

**Broadband and Telecommunication Legislation (pages 4-5)**

House Bill 14-1327- Broadband Deployment Act- enacts several changes to expand the availability and encourage the expansion of broadband technology statewide including:

- Requiring local governments to process applications for new and colocations of wireless service facilities within a certain time frame (150 and 90 days respectively);
- Requiring local governments to allow for consolidated applications for small cell networks;
- Expanding laws related to public rights-of-ways for telecommunication providers to include broadband providers;
- Requiring the state and local government to provide notice to broadband providers of a utility trenching project and allow for joint trenching (dig-once); and
- Creating a state sales and use tax exemption for broadband infrastructure and equipment.

House Bill 14-1328 – Connect Colorado Broadband Act- authorizes the use of the High Cost Support Mechanism (HCSM) financial assistance for broadband service in unserved areas of the state. The bill also transfers specific amounts of funding from the HCSM fund to the newly created Broadband Deployment Fund.

House Bill 14-1329 deregulates some aspects of Voice-Over-Internet Protocols (VoIP), advanced telephone services, and most long-distance services. This bill also specifies that deregulation does not exempt these technologies from basic emergency service and federal telecommunication regulations.

House Bill 14-1330 updates telecommunication language and definitions in the Colorado Revised Statutes.

House Bill 14-1331 deregulates most aspects of basic telephone service but retains PUC authority over basic emergency service and providers of basic local exchange service. In regards to basic service, the bill clarifies that the HCSM applies to land-lines and VoIP even if the service is otherwise deregulated.

# HB 14-1343



BUILDING A STRONG PARTNERSHIP WITH COLORADO'S CITIES AND TOWNS

## WORKERS COMPENSATION PRESUMPTIVE ELIGIBILITY FOR PTSD FOR CERTAIN STATE AND LOCAL PEACE OFFICERS

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### YOUR "NO" VOTE RESPECTFULLY REQUESTED

HB 14-1343 would create a presumptive eligibility for certain peace officers that make a claim of post-traumatic stress disorder (PTSD) within 3 years of a qualifying incident, as defined in the bill. As such, an employer that does not concur must prove that the illness was caused by factors unrelated to the workplace. However, significant limitations placed on relevant information make this impossible for employers. Furthermore, the Department of Labor's Division of Workers Compensation (DWC) is completely removed from its administrative role in the claim. Instead, district court judges will be required to have in camera review of medical information with the employer and employee's counsel.

The legislation is far afield from the only two other presumptive eligibilities in Colorado, both of which are still handled through the DWC. It covers any resulting claims from an on-duty illness or injury, regardless of whether or not the illness or injury actually caused PTSD. No matter what any medical examination and treatment of the individual reveals about whether or not the employee has or had PTSD, the employer (and therefore taxpayers) is required to pay for all medical expenses.

Transferring the responsibility of administering workers' compensation cases from the DWC to district courts will place huge burden on the courts and ask judges to do the work of administrative law judges.

Other major impacts of the bill are:

1. The bar for employers in this legislation to show that an illness is not work related is extraordinarily high due to presumptive eligibility. However, in this legislation, it is even higher because of barriers placed on the employer from any reasonable ability to investigate the non-workplace factors or review the claims.
2. Mental impairment is already a covered condition under the workers compensation statutes, and employees also covered by the Fire & Police Pension Association (FPPA) Death & Disability plan will receive disability pay in virtually any instance a mental impairment is claimed.
3. In spite of anticipated cost impacts to workers compensation insurance and self-insured employers, there is no language in the draft to fund the mandate created by the legislation.

Covered employees are listed on the following page:

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*For more information, contact Kevin Bommer, deputy director, at 303-831-6411 or [kbommer@cml.org](mailto:kbommer@cml.org).*

- **State employees**

- o Colorado State Patrol officers
- o Director of the Colorado bureau of investigation
- o Police officers or reserve police officers employed by a state institution of higher education
- o Colorado wildlife officers
- o Colorado parks and recreation officers
- o Colorado police administrators or police officers employed by the Colorado mental health institute at Pueblo
- o Attorney general criminal investigators
- o Community parole officers
- o Department of corrections inspector general

- **Local employees**

- o Chiefs of police
- o Police officers
- o Sheriffs
- o Undersheriffs
- o Deputy sheriffs
- o Town marshals
- o Deputy town marshals
- o Reserve police officers
- o Reserve deputy sheriffs
- o Reserve deputy town marshals
- o Public transit officers
- o Municipal court marshals



## **MEDIA RELEASE**

**FOR IMMEDIATE RELEASE:** March 25, 2014

Contact: Scott McInnis  
[970-285-7630](tel:970-285-7630)

### **AGNC OPPOSES PTSD BILL**

PARACHUTE, CO – The Associated Governments of Northwest Colorado has issued a statement on behalf of its member governments, opposing legislation that would extend presumptive Workers Compensation coverage to first responders for Post-Traumatic Stress Disorder, beginning up to two years from the date of the triggering incident.

“While the Association and its member local governments recognize that instances of PTSD among our emergency workers can be a critical issue, and are committed to continuing to work with local police, sheriff and fire departments and mental health professionals in ensuring that individual cases are adequately addressed, we do not believe that presumptive eligibility in any form is appropriate in any labor relationship. Under the provisions of this bill, a triggering diagnosis of PTSD would be presumed up to two years from the occurrence of a police officer or firefighter encountering something that is common to their daily work, including exposure to death or seriously bodily injury of another person. Further, we believe that the extent of time allowed between an actual incident and when benefits can be triggered is too long, at two years.

“The unintended consequences that this bill presents are staggering: potentially, **every police officer on a given force could end up on Workers Compensation simply as a result of their regular experiences on any average workday.** The costs that this would impose on local governments could be crippling.

“In addition, we have to wonder where this will lead; will emergency room workers be eligible next? Or the Coroner who is exposed to bodies on a daily basis? What about the reporters covering the story – could this carry over into the private sector? **This bill clearly sets a dangerous precedent that could carry over to main street private business.**

“This bill is an unjustified state preemption of a local issue, represents yet another unfunded mandate being placed on local communities, and sets a bad precedent of state interference with questions surrounding the rights and risks assumed by employers and employees.

“All of our local governments care deeply about the men and women who serve their communities as first responders, and are committed to caring for them when injured in any way;

but it is unreasonable to ask local municipalities and counties – and their taxpaying citizens – to shoulder the costs, stemming from added claims and increased premiums, of presumptive additions to Workers Compensation coverage.”

For more information, or to schedule an interview, please contact AGNC Executive Director Scott McInnis at [970-285-7630](tel:970-285-7630)

# # #

*AGNC is a council of governments representing cities and counties in northwest Colorado including Mesa, Garfield, Rio Blanco, Moffat and Routt.*

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**Advanced Industries Economic Development Funding****HB 14-1011***House: Young & Gerou; Senate: Heath*

This bill increases the amount of funding for the Advanced Industries Economic Development Fund by transferring an additional \$12 million each year for five years starting in 2014. The Advanced Industries Development Fund was established in 2013 to promote growth and sustainability in advanced industries and specifically supports two programs. The Advanced Industries Export Acceleration Program provides \$300,000 each fiscal year through FY 2017-18 for the reimbursement of international export development expenses by private industry, as well as export training and a referral system for trade consulting administered by the Office of Economic Development and International Trade (OEDIT). The Advanced Industries Grant Program funds three types of grants: proof-of-concept, early stage capital and retention, and infrastructure funding. Advanced industries include advanced manufacturing, aerospace, bioscience, electronics, energy and natural resources.



**Status:** 01/28/2014 House Committee on Business, Labor, Economic, & Workforce Development refer to Appropriations  
**GJ Chamber of Commerce- SUPPORT**

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**Advanced Industries Investment Income Tax Credit****HB 14-1012***House: Tyler; Senate: Keflas*

This bill repeals the Colorado Innovation Investment Tax Credit and replaces it with the Advanced Industries Tax Credit. The credit is available for qualified investors who make an equity investment in a qualified small business from the advanced industries.



**Status:** 02/27/2014 House Committee on Finance Refer to Appropriations

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**Advanced Industries Workforce Development Program****HB 14-1013***House: Lee; Senate: Todd*

This bill creates the Advanced Industries Workforce Development Program. The program will reimburse businesses for one-half of its expenses related to a qualifying internship or apprenticeship. Qualifying apprenticeships must be in an advanced industry; be for at least 160 hours and less than one year; and allows students to gain valuable work experience in at least 3 specified occupational areas. Apprentices must be paid; they must be provided a mentor or supervisor; they must be a high school or college student; and must not make up more than 50% of the business's workforce located in the state. A business may be reimbursed for up to 5 interns and apprentices per location and up to 10 locations. The maximum amount that a business may be reimbursed for each internship is \$5,000. No more than \$2,500 of which may be a stipend paid to the apprentice. The bill would require the General Assembly to appropriate \$450,000 in the next 3 fiscal years for the program.



**Status:** 02/13/2014 House Committee on Business, Labor, Economic & Workforce Development refer to Appropriations

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**Modification of the Job Growth Incentive Credit****HB 14-1014***House: DelGrosso; Senate: Heath*

This bill modifies the job growth incentive tax credit by extending the tax credit claims period from 60 months to 96 months, lowering the average wage match from 110% to 100% and changing the language that governs approval of the project to show that the credit is a substantial factor in the decision to locate or retain the project in Colorado. The existing credit is a state income tax credit for businesses that create at least 20 new jobs in Colorado with an average yearly wage of 110% of the state and county average.



**Status:** 03/19/2014 House Committee on Finance Refer Amended to Appropriations

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**GJ Chamber of Commerce- SUPPORT**

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**Extend Transitional Jobs Program****HB 14-1015***House: Kraft-Tharp; Senate: Kerr*

The ReHire Colorado program was created under House Bill 13-1004 to provide unemployed and underemployed adults an opportunity to experientially learn, model, and practice successful workplace behaviors that help them to obtain long-term unsubsidized employment. Under the bill, the DHS was appropriated \$2.4 million and 2.0 FTE for this program in FY 2013-14. Moneys are used to reimburse employers for wage-related costs, make payments to local agency contractors, and for staff and administrative costs. This bill would appropriate funds and extend the program into 2016-2017.



**Status:** 01/21/2014 House Committee Business, Labor, Economic, & Workforce Development Refer to Appropriations

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**GJ Chamber of Commerce- SUPPORT**

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**Procurement Technical Assistance Program****HB 14-1016***House: Ryden; Senate: Todd*

This bill establishes the Procurement Technical Assistance Program (PTAP), allowing Colorado to participate in federal procurement technical assistance, with federal funds that match state contributions to a program that follows federal guidelines. The state participates by entering into a contractual partnership between the Office of Economic Development and International Trade and at least one nonprofit entity that is designated by the federal Defense Logistics Agency to provide technical assistance.

**Status:** 02/05/2014 House Committee on Finance refer to Appropriations**GJ Chamber of Commerce- SUPPORT**

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**Wine Packaging Permits****HB 14-1034***House: Williams; Senate: Jahn*

Under current law, only licensed wineries are permitted to bottle the wine they produce. This bill creates the wine packaging permit to be issued by the Department of Revenue (DOR) that allows a licensed winery to package wine manufactured by another winery. The permit also allows a wine wholesaler to package wine. After packaging, the wine must be returned to the original winery, or to the original winery's licensed wholesaler. The packaging winery cannot sell or distribute the packaged wine to a licensed retailer or directly to a consumer.

**Status:** 03/18/2014 Senate Committee on Finance Refer to Appropriations**GJ Chamber of Commerce- SUPPORT**

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**Consumer Goods Service Contract Regulation Changes****HB 14-1199***House: Williams, Szabo; Senate: Jahn and Balmer*

The bill provides for changes to the regulation of consumer goods service contracts based on the model act of the National Association of Insurance Commissioners. Service contracts require the provider to perform repair, replacement, or maintenance on any consumer good covered by the service contract. This bill requires service contracts to be in writing and disclose the terms and conditions of the contract, the covered consumer goods, the identity of the provider and any administrator appointed by the provider, procedures for cancellation of the contract, and whether the service contract is protected by reimbursement insurance coverage. The bill also requires that the contract holder is allowed to void the contract within 20 days after the receipt of the contract. The contract provider must also demonstrate an ability to provide the services under contract and adhere to certain record-keeping requirements. The bill also allows the Commissioner of Insurance to assess civil penalties of up to \$500 per violation and up to \$10,000 for all violations of a similar nature.

**Status:** 02/20/2014 House Committee on Business, Labor, Economic, & Workforce Development Refer to Appropriations

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**State Talent and Market Intelligence****HB 14-1231***House: Buckner and Kagan*

This bill requires the Colorado Office of Economic Development to obtain a Talent Analytics Tool. The Office is required to use this tool to conduct a study and identify the state's talent base, assess the areas in which the state's talent base has gaps in skills, and gain a comprehensive understanding of the strength of its talent base compared to other states.

**Status:** 02/18/2014 House Committee on Business, Labor, Economic & Workforce Development Refer to Appropriations

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**Marketplace Fairness & Small Business Protection****HB 14-1269***House: Court; Senate: Johnson**For background information on online sales tax- please see Online Sales Tax Supplement (attached).*

In the simplest terms, this bill significantly expands the state's definition of nexus to require online and catalogue vendors to collect and remit state sales tax. Specifically, this bill would expand the state's definition of nexus to include affiliate nexus, controlled group nexus and transitory physical presence nexus. Affiliates are online marketers that direct traffic to online retailers. Controlled group nexus would be established by businesses being a member of a controlled group with presence in the state (parent-subsidiary structure, common ownership group of sibling corporations or a combination as defined by the Internal Revenue Code) if the component members conduct certain actions, such as retailing, delivering or causing to be delivered, using similar trademarks, or conducts over activities in this state that are significantly associated with the ability of the retailer to establish or maintain a market for sales of tangible personal property or taxable services. Transitory physical presence established with solicitation is a wide umbrella establishing nexus for the regular or systematic solicitation, promotion or facilitation, whether direct or indirect, of sales and purchases of tangible personal property or taxable services to persons residing in the state for use, consumption, distribution and storage for use or consumption in the state.

**Status:** 03/05/2014 House Committee on Finance- Witness Testimony Only

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**Taxpayer Protection Act Disclosures****HB 14-1285***House: Ryden; Senate: Aguilar and Johnston*

This bill requires tax preparers to make certain disclosures to the taxpayer concerning their qualifications, fees, year-round contact information, willingness to represent the taxpayer in a government audit and obligation to sign the tax documents prepared. Tax preparers include people who prepare, for a fee, income tax returns or claims for refunds. The bill also creates a penalty for deceptive trade practices and criminalizes the act of providing fraudulent information in a professional tax preparer's disclosure statement. As amended in the House, licensed and authorized CPAs, Attorneys and Enrolled Agents are exempt from these requirements.

**Status:** 03/17/2014 Introduced in Senate- Assigned to Finance

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**Motor Vehicle Age Salvage Brand****HB 14-1299***House: Todd; Senate: Tyler*

Current law defines a salvage vehicle as a vehicle that has been damaged by collision, fire, flood, accident, trespass, or other occurrence, excluding hail damage, to the extent that the cost of repairing the vehicle to a roadworthy condition exceeds the vehicle's retail fair market value immediately prior to the damage. The vehicle must have been under six years old when the damage occurred to receive a salvage title under current law. This bill removes the requirement that a vehicle be under six-years of age when the damage occurred in order to be considered a salvage vehicle.

**Status:** 03/17/2014 Introduced in Senate- Assigned to Transportation

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**Main Street Revitalization and Job Creation Act****HB 14-1311***House: Garcia and Dore; Senate: Steadman and Crowder*

This bill creates an income tax credit for preservations of historic properties and appropriates a 4-year annual transfer of \$15 million to fund the tax credit. The income tax credit is authorized for years 2015-2018. The bill also requires the OEDIT to develop standards for the approval of the substantial rehabilitation of qualified structures. In order to qualify, the Historic Structure must: be certified by the historical society and either listed in the National Register of Historic Places or the State Register of Historic Places; or designated as a landmark by a certified local government that has been certified by the Historic Society. Grand Junction has several structures on the National Register of Historic Places: Cross Orchards, Railroad Depot, 5<sup>th</sup> Street Bridge, Handy Chapel, St. Regis Hotel, Margery Building, North 7<sup>th</sup> Street Historic District, Stranges Grocery, Wayne Aspinall Federal building and several locations on the Monument.

**Status:** 03/17/2014 Introduced in House- Assigned to Finance and Appropriations**CML- SUPPORT****GJ Chamber- SUPPORT**

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**Procurement Availability Utilization Analysis**

HB 14-1316

*House: Williams and Salazar; Senate: Ulibarri and Guzman*

This bill directs the Department of Personnel to contract for a Disparity Study of the Colorado Procurement Process to ascertain whether disparities exist between the participation of historically underutilized businesses (i.e. businesses owned by racial or ethnic minorities, women, veterans or persons with disabilities). The final report is to be made available to the member of the General Assembly by December 1, 2015.

**Status:** 03/20/2014 House Committee on business, Labor, Economic & Workforce Development refer to Appropriations

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**Broadband Deployment Act**

HB 14-1327

*House: Williams and Murray; Senate: Scheffel and Tochtrop*

This Broadband Deployment Act requires local governments to approve applications for new wireless service facilities within 150 days and collocation of wireless service facilities within 90 days. Facilities include any facility, tower, pole, building or other structure constructed for the sole or primary purpose of supporting broadband facilities or wireless service facilities. The bill also requires local government to allow for a single-permitting process for "small cell networks." The bill also expands the law relating to access to public rights-of-ways to include broadband providers. The bill also creates a requirement that local governments provide notice to broadband providers of any utility trenching project that it conducts and allow for joint trenching by the broadband provider: "dig once." Finally, this bill exempts from state sales and use taxes tangible personal property that is used directly by broadband providers to provide broadband services. The bill also allows statutory cities and counties to adopt similar exemptions.



NEW!

**Status:** 03/25/2014 House Committee on Labor, Economic & Workforce Development refer amended to Finance

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**Deployment of Broadband into Unserved Areas of Colorado**

HB 14-1328

*House: Williams and Coram, Scott; Senate: Nicholson and Crowder*

This bill creates a Broadband Deployment Board and Broadband Fund to facilitate the funding of projects that deploy broadband service into unserved areas of the state. The bill adds broadband service to unserved areas of the state as a reimbursable project covered under the High Cost Support Mechanism (HCSM) and shifts a portion of funding from basic telephone service to broadband deployment. Unserved areas are defined as unincorporated areas of the state (or incorporated areas with populations of less than 5,000) that have a majority of households that lack access to at least one provider of broadband that uses satellite technology and one provider that uses non-satellite technology. Grand Junction is not an unserved area. Background on the HCSM: the High Cost Support Mechanism was established in 1990 and is designed to ensure that all residents of the state have access to basic telephone services (universal basic service). The HCSM funds are distributed to eligible providers of universal basic service in high-cost geographic areas. The program is funded by a 2.6% surcharge on all land-line and wireless phone service.



NEW!

**Status:** 03/25/2014 House Committee on Business, Labor, Economic & Workforce Development refer to Appropriations

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**Deregulate Internet Protocol Emerging Telecommunication Technologies**

HB 14-1329

*House: Williams and Salazar; Senate: Ulibarri and Guzman*

This bill deregulates several technologies. The following products, services and providers are removed from the Public Utilities Commissions' authority:

- Voice-over-internet services and internet-protocol-enabled services;
- Non-optional operator services;
- Private line services with capacity of less than 24 voice grade circuits;
- InterLATA and intraLATA tolls (long distance services); and
- Premium services such as call waiting and three-way calling.



However, the bill does not affect the scope or effect of PUC authority relative to the wholesale telecommunications market, federal telecommunications programs, or basic emergency service.

**Status:** 03/25/2014 House Committee on Business, Labor, Economic & Workforce Development refer to Appropriations

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**Updating Telecommunications Technology Language**

HB 14-1330

*House: Williams; Senate: Tochtrop*

With the advancement of telecommunication technologies, Colorado statutes governing telecommunications policy are outdated. The bill updates definitions to encompass new technologies and terms and repeals language related to outdated technologies and terms and expired statutory deadlines.

NEW!

**Status:** 03/31/2014 House Second Reading Laid Over to 04/07/2014

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**Deregulate Basic Local Exchange Services**

HB 14-1331

*House: Williams and Murray; Senate: Nicholson and Kerr*

This bill modifies the statutory framework for the regulation of local telephone service. The bill retains the PUC's authority to regulate basic emergency service and the providers of basic local exchange service. The bill specifies that landline and voice-over-internet protocol services will continue to be subject to the High Cost Support Mechanism, emergency service, and telecommunications relay surcharges. The bill specifies that until July 1, 2016, rates are subject to the PUC control but after that date the PUC may only regulate and control rates, providers of last resort, discontinuation of service and general compliance only within those areas without effective competition.

NEW!

**Status:** 03/25/2014 House Committee on Business, Labor, Economic & Workforce Development refer to Appropriations

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**Electronic Delivery of Insurance Documents**

HB 14-1344

*House: Rosenthal; Senate: Tochtrop*

The bill allows certain notices and other documents related to insurance coverage to be sent electronically to an e-mail address specified by the policyholder if the policyholder consents to receiving the documents electronically.

NEW!

**Status:** 03/24/2014 Introduced In House - Assigned to Business, Labor, Economic, & Workforce

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**Extend Effective Date of Definition of Retail Sales**

HB 14-1348

*House: Ferrandino; Senate: Heath*

The bill delays the effective date of the amended sales tax definition of "retail sale" that was adopted in House Bill 13-1295, which concerned the implementation of the minimum simplification requirements of the proposed federal "Marketplace Fairness Act of 2013", so that the definition does not take effect on July 1, 2014, but instead takes effect only if congress enacts an act that authorizes states to require certain retailers to pay, collect, or remit state or local sales taxes.

NEW!

**Status:** 03/28/2014 Introduced In House - Assigned to Finance

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**CDPHE Regulations on Freestanding Emergency Centers**

SB 14-016

*Senate: Aguilar; House: Moreno*

This bill permits the Department of Public Health and Environment to issue Community Clinic Licenses only if the community clinic is located more than 25 miles from a hospital. On or after 2 years after the effective date of the bill, all other freestanding emergency rooms must be owned and operated by a licensed or certified hospital. There are currently four stand-alone emergency facilities in Colorado that are not affiliated with a hospital (Colorado Springs, Arvada, Telluride and Crested Butte- the Colorado Springs and Arvada locations would be impacted.)

**Status:** 03/10/2014 Senate Second Reading Laid Over Daily

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**Regulation of Transportation Network Companies**

SB 14-125

*Senate: Jahn; House: Pabon and Szabo*

This bill allows the PUC to regulate transportation network companies. Transportation network companies are similar to taxi cabs (which are regulated by the PUC) and match individual consumers up with individuals with vehicles willing to transport via digital networks such as mobile phone applications. The bill exempts these companies from much of the PUC's oversight (including rates) but does subject these companies to the PUC oversight for safety conditions, insurance requirements and driver qualifications.

**Status:** 03/11/2014 Introduced in House-

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**Insurer Market Conduct Exams Actual Harm**

SB 14-148

*Senate: Cadman; House: Sonnenberg*

Under current law, fines and penalties based on the results of insurer examinations must be levied in a consistent, reasonable, and justified manner following consideration of an insurer's participation in industry groups that promote high standards of conduct. The bill requires the DOI to consider actual harm to consumers documented in the examination report, to ensure a rational relationship between actual harm and any fines or penalties, and to disregard administrative errors and errors that do not harm consumers. The total amount of fines for any market conduct action must not exceed one year of reported profit of an insurer.

**Status:** 02/17/2014 Introduced in Senate- Assigned to State, Veterans and Military Affairs

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**Created by Colorado App to Promote Colorado Businesses**

SB 14-166

*Senate: Carroll and Rivera; House: Tyler and Garcia*

This bill directs the Colorado Office of Economic Development and International Trade to contract for the creation of a mobile application software that identifies local businesses in Colorado. Local businesses are defined as being owned, located or headquartered in, or has products manufactured in Colorado.

**NEW!****Status:** 03/21/2014 Introduced In Senate - Assigned to Business, Labor, & Technology

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**Funding Based on Average Daily Membership****HB 14-1139***House: Priola*

Under current law, funding for school districts and institute charter schools is based on the number of pupils enrolled on a specified count date each school year. This bill changes the calculation in 2017-2018 to instead be based upon the average daily membership, preschool program average daily membership, at-risk pupil average daily membership, on-line average daily membership, ASCENT program average daily membership, and funded membership (collectively referred to as "membership") for the funding averaging period. The funding averaging period is the 4 quarters of the preceding budget year plus the first quarter of the current budget year.

**Status:** 01/16/2014 Introduced In House - Assigned to Local Government

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**Disclosure of Financial Information****HB 14-1145***House: Wilson*

This bill requires the Department of Education to create summary information of the revenue and primary expenditures of each school district, charter school, Board of Cooperative Services, and the State Charter School Institute, broken down by elementary, middle and secondary school levels. The information must also be posted online.

**Status:** 01/16/2014 Introduced In House - Assigned to Local Government

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**Eligibility Age School Lunch Protection Program****HB 14-1156***House: Moreno; Senate: Ulibarri*

This bill would extend the eligibility of free lunches to school age children through 12<sup>th</sup> Grade. The current eligibility is from Kindergarten through 2<sup>nd</sup> Grade. The bill increases annual appropriation to \$3.5 million from \$1 million.

**Status:** 02/10/2014 House Committee on Education refer to Appropriations

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**English Language Proficiency Programs****HB 14-1167***House: Navarro*

This bill makes several changes to the English Language Proficiency Act. Under current law, funding for students with limited English proficiency is limited to 2 years. This bill expands the funding period to 5 years. Currently, funding is based upon proficiency level. This bill will make funding equal regardless of proficiency level. The bill also makes specific new requirements of the local education provider (school) and the Department of Education.

**Status:** 01/22/2014 Introduced in House- Assigned to Education

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**Local Accountability Requirements for School Districts****HB 14-1202***House: Scott*

Under current law, every School District is required to administer statewide assessments in grades 3 through 11 and the State Board of Education cannot waive this requirement. This bill would direct the State Board to waive most of the assessment requirements for a School District that submits a School District Assessment Plan that meets specified requirements. If a school district that receives a waiver fails to meet statewide targets for academic performance for 3 consecutive school years, the State Board must modify the school district's waiver to require the school district to administer the statewide assessments in the subjects in which it failed to meet the statewide targets.

**Status:** 02/26/2014 House Committee on Education refer to Appropriations

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**Flexibility for Rural School Districts****HB 14-1204***House: Wilson*

This bill removes and modifies requirements of rural school districts (fewer than 1,000 students). The bill allows these districts to submit certain reports biennially instead of annually and removes other requirements.

**Status:** 02/24/2014 House Committee on Education Refer to Appropriations

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**Full-Day Kindergarten Funding for Districts****HB 14-1212***House: Wilson*

Under current law, students who are enrolled in kindergarten are counted as half-day students and the school district receives only 50% of the per-pupil funding for each kindergarten student. If the district provides full-day kindergarten, the district received 58% of the per-pupil funding per student. This bill would change the funding so that districts receive 100% per-student enrolled in full-day kindergarten.

**Status:** 01/30/2014 Introduced In House - Assigned to Education

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**No Indefinite Unpaid Leave for Non Probationary Teachers****HB 14-1268***House: Salazar; Senate: Todd*

Under current law, if a nonprobationary teacher is removed from a teaching assignment within a school district, the teacher must secure a mutual consent assignment at another school within a certain time period or be placed on unpaid leave. This bill prohibits the district from being able to place the teacher on unpaid leave and requires that the teacher is assigned to another position that has the same salary and benefits or dismiss the teacher in compliance with the statutory due process.

**Status:** 02/04/2014 Introduced in House- Assigned to Education

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**Student Immunizations Prior to School Attendance****HB 14-1288***House: Pabon; Senate: Aguilar*

Under current law, a student is exempt from receiving required immunizations prior to attending a public school if the student or parent submits a statement of exemption based on religious or personal beliefs. The bill requires parents who invoke the personal belief exemption to either take an online class created by the Department of Public Health and Environment or submit a statement from a doctor indicating that they have discussed the risks and benefits.

**Status:** 03/27/2014 Introduced in House- Assigned to State, Veterans and Military Affairs

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**Student Success Act****HB 14-1292***House: Hammer and Murray, Scott; Senate: Johnston*

The Student Success Act appropriates \$263 million in funds to education. Specifically, the bill:

- reduces reduce the negative factor by increasing the total funding by \$100 million;
- creates a one-time fund of \$40 million to be distributed to school districts on a per-pupil basis;
- establishes an Average Daily Membership Count system that enables funding to “follow” the student;
- allocates \$40 million to school construction and charter school funding is increased from \$7 million to \$25 million;
- provides \$20 million in ongoing funds for the READ Act;
- increases ongoing English Language Learning funding by \$35 million and funds each student for 5 years as opposed to 2 years; and
- appropriates \$5 million to implement a website that tracks funding.

**Status:** 03/19/2014 House Committee on Education refer Amended o Appropriations

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**Financing of Public Schools****HB 14-1298***House: Hammer and Buckner; Senate: Kerr and Steadman*

This bill modifies the funding for K-12 public schools in FY 2014-2015. The per-pupil funding is increased to 2.8% to \$6,121. The bill also limits the amount of the negative factor for 2015-2016 to be less than or equal to the level of the negative factor for 2014-2015. The bill also increases the number of slots available for the Colorado Preschool Program by 5,000 and adjusts the negative factor calculation to pay for the cost of this increase.

**Status:** 03/19/2014 House Committee on Education refer Amended o Appropriations

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**School District and Charter School Mill Levy Overrides****HB 14-1314***House: Petterson; Senate: Kerr*

This bill requires school districts that authorize a charter school to include the charter school in the planning process to seek voter approval for additional local revenues to meet operating expenses. A charter school may ask its authorizing school district to include the charter school in a ballot question for the school district to authorize additional local revenues or to submit a ballot question solely for the charter school.

**Status:** 03/31/2014 House Second Reading Passed

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**Outcomes-Based Funding for Higher Education****HB 14-1319***House: Ferrandino, Scott, Wright; Senate: Lambert*

This bill significantly modifies the current financing of higher education. The “fee-for-service” contracts are modified so that each governing board is allocated the same base amount each year- the institutional base. Small and medium-sizes 4-year institutions and small community colleges will receive a percentage of the institutional base. Additional funding is made available based upon the number of graduate students enrolled, retention funding based upon the

number of juniors and seniors enrolled, and degree funding based upon percentage of degrees awarded each year. The bill also increases the amount of College Opportunity Fund stipend available for eligible undergraduate students. Colorado Mesa University is projected to have moderately increased funding under this bill. The University of Colorado would see the largest decrease in funding, and the Colorado State University system would see the biggest increases in funding.

**Status:** 03/13/2014 Introduced in House- Assigned to Education

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**College Affordability Act**

**SB 14-001**

*Senate: Jahn, Kerr; House: Garcia, McLachlan*

This bill reduces the cap on the annual increase in the rate of undergraduate resident tuition at state-supported institutions of higher education from 9.0% annually to 6.0% annually. Institutions may increase their rates by more than 6% with the approval of the Colorado Commission on Higher Education. The bill also appropriates \$60 million to the College Opportunity Fund and \$40 million to various financial aid programs.

**Status:** 02/12/2014 Senate Committee on Education Refer to Appropriations

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**K-12 Academic Growth Performance Evaluations**

**SB 14-165**

*Senate: Johnston and Kerr; House: Murray and Peniston*

Under current law, Boards of Education are required to base at least 50% of the final level of effectiveness assessed to an educator on student academic growth. This bill would allow the local Board of Educations to determine what percentage, if any, they will use in assessing performance.

**NEW!**

**Status:** 03/31/2014 Senate Second Reading Passed

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**Conducting Recall Elections**

SB 14-158

*Senate: Steadman and Jones; House: Hullinghorst*

This bill makes several changes to the state statute concerning recall elections. The bill aims to make recall elections conducted as mail-in elections. The bill requires replacement candidates to petition onto the ballot 15 days prior to clerks sending out mail-in-ballots as opposed to 15 days prior to the election. The bill also prohibits designated election officials from conducting a recall election in a manner other than a mail ballot election. The bill also requires all the votes for successor candidates to be counted, and not just those of persons voting “yes” on the recall question.

**NEW!****Status:** 03/28/2014 Introduced in House- Assigned to State, Veterans and Military Affairs

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**Updating the Uniform Election Code of 1992**

SB 14-161

*Senate: Johnston and Ulibarri; House: Hullinghorst*

This bill makes several changes to the state election code. The bill creates a uniform deadline of 8 days prior to election day for most methods of voter registration in order for the voter to have a mail ballot sent to them. The bill also eliminates language concerning a voter's intention to make the new location his or her permanent place of residence. The bill makes several changes concerning election-related criminal offenses as well.

**NEW!****Status:** 03/28/2014 Introduced in House- Assigned to State, Veterans and Military Affairs

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**Changing the Number and Composition of Representative Districts**

HCR 14-1001

*House: Sonnenberg*

This concurrent resolution would submit a question to the voters on the November 2014 ballot to reorganize the representative districts in Colorado so that each county is its own district.

**Status:** 3/13/2014 Introduced In House - Assigned to State, Veterans, & Military Affairs

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**Analyze Impacts of Oil and Gas on Human Health****HB 14-1297***House: Ginal; Senate: Aguilar*

This bill directs the Colorado Department of Public Health and Environment to conduct an analysis of human health and quality of life within the counties of Larimer, Weld, Boulder and Adams.

**Status:** 02/27/2014 Introduced In House - Assigned to Health, Insurance, & Environment**GJ Chamber of Commerce- OPPOSE**

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**Renewable Energy Enterprise Zone Investment Tax Credit Refund****HB 14-1305***House: McCann; Senate: Hodge*

Under current law, businesses can claim income tax credits for certain investments in enterprise zones. Last year, the annual credit was capped at \$750,000, with investment tax credit carryovers for future years. This bill would allow taxpayers making renewable energy investments to elect to receive a refund of up to \$2.5 million per year. For every 85 cents received as a refund, the investment tax credit carryover is reduced by \$1.

**Status:** 03/19/2014 House Committee on Finance refer to Appropriations**AGNC- OPPOSE UNLESS AMENDED****GJ Chamber of Commerce- OPPOSE**

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**Pipeline Right-of-Way****SB 14-093***Senate: Jahn; House: May*

The bill clarifies that companies that operate pipelines that convey oil, gasoline, or other petroleum or hydrocarbon products are pipeline companies granted the right of eminent domain subject to state constitutional and statutory provisions that require payment of just compensation and otherwise govern the exercise of the power of eminent domain. A pipeline company must also comply with all applicable laws and regulations including, but not limited to, federal pipeline safety regulations. This bill overrides the May 2012 Colorado Supreme Court decision in the case of *Larson v. Sinclair Transportation Company*, which held that only pipeline companies in the business of transmitting electricity or natural gas may use the power of eminent domain in Article 5. Pipeline companies conveying petroleum products have historically negotiated for rights-of-way, and prepared condemnation petitions where those negotiations failed to obtain critical rights-of-way, on the basis of eminent domain powers vested in "pipeline companies" by Article 5. Industry practices in Colorado were also historically informed by various other cases and statutory provisions granting the power of eminent domain to pipeline companies.

**Status:** 03/17/2014 House Second Reading Laid Over to 04/04/2014**GJ Chamber of Commerce- SUPPORT**

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**Continuation of Enhanced Unemployment Benefits****HB 14-1318***House: Hulinghorst; Senate: Heath*

This bill would extend until July 1, 2017 enhanced unemployment insurance compensation for eligible claimants engaged in an approved training program. The bill authorizes \$4 million annually for a three-year period to fund this program. The program initiated in 2009 and provides additional compensation for claimants who are in an enhanced, approved training status. Enhanced training programs are training programs that prepare the individual for entry into occupations within high-demand industry sectors, training programs that make the claimant more “marketable and leads to greater earning potential,” and certain post-secondary degrees or certificates. Eligible candidates receive 50% more in weekly benefits. The program was extended for 2 years during the 2012 session and is currently set to expire on June 30, 2014. The same bill has been introduced in the Senate (SB 14-057), but is facing opposition and struggling to get out of committee.

**Status:** 03/20/2014 House Committee on Business, Labor, Economic, & Workforce Development Refer Unamended to Appropriations

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**Restrict Government Access to Personal Medical Information****HB 14-1323***House: Primavera; Senate: Lundberg, Kefalas*

This bill prohibits the state or a local government from accessing an individual’s personal medical records or information without the individual’s consent. If the state or local government is authorized to access the medical information in connection with an employment-related request, occurrence, or claim, such as a request for a workplace accommodation or for family medical leave, the consent applies for the duration of the request, occurrence, or claim.

**NEW!**

**Status:** 03/18/2014 Introduced in House- Assigned to Public Health Care & Human Services

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**Presumptive Eligibility of PTSD for Peace Officers****HB 14-1343***Senate: Singer and Wright; House: Tochtrop*

The bill requires employers to pay all medical costs for allegations of PTSD and presumes diagnoses of PTSD to be work related and covered under Worker’s Compensation. The bill establishes a presumption of PTSD if a peace officer experiences any of the following traumatic events and seeks treatment within 36 months:

**NEW!**

- Using deadly force or witnessing the use of deadly force;
- Witnessing a death, a serious bodily injury or the aftermath of a death or serious bodily injury (nearly all of our Police Officers have witnessed the aftermath of a death or serious bodily injury in the last 36 months);
- Becomes injured or contracts a disease (injury and disease are not defined in the bill).

The bill dictates that medical records are not be made available to local governments, which would prevent any possibility of reasonably being able to investigate or review the claim.

**Status:** 03/24/2014 Introduced in House- Assigned to Local Government

**AGNC- OPPOSE****CML- OPPOSE**

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**Wage Protection Act****SB 14-005***House: Singer; Senate: Ulibarri*

For the purposes of duties, obligations and liabilities related to the payment of wages, this bill:

- Expands wage claims to include violations involving the state minimum wage;
- Requires an employer to maintain records reflecting information in an employee’s pay statement for at least 3 years and make the records available to the Department of Labor (and creates a fine for violation);
- Requires an employer to mail a check for wages to the employees last-known address within 60-days after the check was due if the employer cannot deliver otherwise.

Under current law, to recover penalties in an action for unpaid wages, an employee is required to make a written demand on his or her employer to recover penalties, and the penalties are increased by 50% if the employer’s failure to pay is willful. The bill:

- Provides that failure to respond to a written demand creates rebuttable presumption that the failure to pay was willful;
- Provides that service of a small claims court complaint serves as the written demand; and

- Reduces the penalties for failing to pay wages by 50% if the employer makes legal tender to the employee of the amount that the employer believes in good faith is due the employee.

**Status:** 02/04/2014 Senate Committee on Finance refer to Appropriations

**Old Age Pensioners- Allowing Gifts**

**SB 14-013**

*Senate: King*

This bill would allow persons eligible for an old age pension to receive up to \$300 per month in gifts, grants and donations without needing to report the gifts and without the gifts reducing the amount of pension received.

Currently gifts, grants and donations reduce the amount of pension received.

**Status:** 01/28/2014 Senate Committee on Finance Refer to Appropriations

**Continuation of Enhanced Unemployment Insurance Benefits**

**SB 14-057**

*Senate: Heath; House: Hullinghorst*

This bill would extend until July 1, 2017 enhanced unemployment insurance compensation for eligible claimants engaged in an approved training program. The bill authorizes \$4 million annually for a three-year period to fund this program. The program initiated in 2009 and provides additional compensation for claimants who are in an enhanced, approved training status. Enhanced training programs are training programs that prepare the individual for entry into occupations within high-demand industry sectors, training programs that make the claimant more “marketable and leads to greater earning potential,” and post-secondary degrees or certificates. Eligible candidates receive 50% more in weekly benefits. The program was extended for 2 years during the 2012 session and is currently set to expire on June 30, 2014.

**Status:** 03/05/2014 Senate Committee on Business, Labor & Technology- Committee Discussion Only

**GJ Chamber- OPPOSE**

**Firefighter Heart Circulatory Malfunction Benefits**

**SB 14-172**

*Senate: Tochtrop and Newell; House: Kraft-Tharp, McNulty*

This bill mandates that local governments, special districts, fire authorities and county improvement districts that employ more than one firefighter make specific payments to firefighters in the event of heart and circulatory malfunctions. The employer can participate in an insurance policy, self-insurance or multiple employer trust. To be eligible, the firefighter must have 5 continuous years of employment as a firefighter, experience the heart or circulatory malfunction within 48 hours of a stressful or strenuous on-the-job activity, and the malfunction must not have been evident at a medical exam after the time of hiring.



The bill dictates the minimum payments as follows:

- \$4,000 lump sum payment if a medical exam reveals that a firefighter has a heart or circulatory malfunction;
- \$1,500 payment per-week for 7 weeks if the firefighter makes an emergency room visit and was hospitalized for up to 48 hours;
- \$2,000 payment per-week for 25 weeks if the firefighter was hospitalized for more than 48 hours;
- \$25,000 for rehab;
- \$10,000 for cosmetic disfigurement;
- \$25,000 lump sum payment if the diagnosis is terminal and
- \$250,000 maximum claim per-person, per-incident.

The bill dictates that these payments do not prohibit the firefighter from receiving additional benefits.

Finally, the bill dictates that the employer must have a policy that heart and circulatory malfunctions are treated as on-the-job injuries and illnesses.

**Status:** 03/31/2014 Introduced in Senate- Assigned to Business, Labor & Technology

**CML- OPPOSE**

**AGNC- OPPOSE**

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**Eliminating Prison Sentences for Persons who are Unable to Pay****HB 14-1061***House: Salazar; Senate: Guzman*

This bill is in response to research conducted by the ACLU. Current law provides that criminal sentences must include a sentence to prison if the defendant fails to pay a fine. This bill changes this requirement so that the sentence must include a notice that if the defendant willfully fails to pay a fine, cost, restitution or other monetary payment, the court may hold the person in contempt of court and sentence the person to prison.

The bill provides that when the court imposes a monetary payment as part of the sentence, the court must notify the defendant that if he or she is unable to pay the amount ordered, the defendant may ask the court for a waiver or change in the payment. The bill establishes procedures for when a criminal defendant may be held in contempt of court for willful failure to make a monetary payment. The procedure requires the defendant to be served.

**Status:** 02/25/2014 House Committee on Judiciary refer Amended to Appropriations

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**Deputy District Attorney Compensation and Training****HB 14-1144***House: Gardner*

This bill suggests the minimum payment for Deputy District Attorneys (\$55,608 for entry level Deputy District Attorneys). The state will reimburse Judicial Districts that pay at least the suggested minimum 20% for counties with fewer than 225,000 residents and 10% for counties with more than 225,000 residents.

**Status:** 02/18/2014 House Committee on Judiciary refer Amended to Appropriations**AGNC- OPPOSE**

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**Improvements to Pretrial Release****HB 14-1261***House: Wright*

The bill limits the Court's Authority to determine the amount of the bond and gives the defendants the ability to choose how to satisfy the bond. Specific bond amounts are set for driving under restraint with a prior DUI (\$10,000); vehicular eluding while driving under the influence (\$50,000); and felony drug distribution (\$50,000). The bill also limits the court's authority to release a person on a personal recognizance bond if the person has failed to appear on a felony or class 1 misdemeanor in the last 5 years or if the court does not have enough information to make an "intelligent decision" regarding the issue. Under current law, certain entities have access to the Name Index and Register of Actions of public case types. This bill adds bonding agents to that list. The bill also creates a criminally affirmative defense for bail bond agents who perform their work in a reasonable manner.

**Status:** 02/27/2014 House Second Reading Laid Over Until 5/11/14

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**Value-Based Crime Threshold Level Changes****HB 14-1266***House: McCann, Gardner; Senate: Newell, King*

Last year, penalties for theft changed based upon the value of the loss. This bill changes the penalties for criminal mischief, fraud by check, defrauding a secured creditor, and unauthorized use of a financial transaction device and computer crime. The new penalties are applied based upon new threshold loss levels and range from a class 2 felony down to a petty offense.

**Status:** 03/11/2014 House Committee on Judiciary Refer to Appropriations

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**Agri-tourism Limited Liability Civil Liability****HB 14-1280***House: Dore, Scott, Wright; Senate: Schwartz*

Under current law, the civil liability of persons involved in agri-tourism is limited. This bill specifies that a participant assumes the risks inherent in such activity and requires the person involved in agri-tourism to notify the participant of the risks. The bill specifically excludes retail and medical marijuana from the definition of agri-tourism.

**Status:** 03/12/2014 House Third Reading Passed**GJ Chamber of Commerce- SUPPORT**

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**Civil Damages for Unlawful Termination of Pregnancy****HB 14-1324***House: Pettersen; Senate: Steadman*

This bill creates a civil remedy of a civil cause of action for a woman who suffers an intentionally, knowingly, or recklessly unlawful termination of her pregnancy. Damages include economic, non-economic, exemplary damages and reasonable attorney and court fees.

**Status:** 03/19/2014 Introduced in House- Assigned to Judiciary**GJ Chamber of Commerce- SUPPORT**

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**Persons with Mental Illness and Criminal Justice****SB 14-021***Senate: Tochtrop, King; House: Wright*

This bill extends the repeal date for the legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal justice systems from 7/1/2015 to 7/1/2020.

**Status:** 02/27/2014 House Committee on Health, Insurance and Environment refer to Legislative Council

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**Improving Protections for Persons with Disabilities****SB 14-118***House: Steadman*

This bill makes several changes to state statute regarding the federal Americans with Disabilities Act of 1990. The bill increases the fine for discrimination in places of public accommodation, housing and or violations of the rights of an individual with a disability who uses a service animal or a trainer of a service animal to \$3,500.

**Status:** 01/27/2014 Introduced In Senate- Assigned to Judiciary**GJ Chamber of Commerce- OPPOSE**

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**Repeal Firearm Purchases in Contiguous States****SB 14-135***Senate: Brophy, King; House: Wright, Scott*

This bill repeals certain provisions concerning the purchase of firearms in states that are contiguous to Colorado. Under current law, gun manufacturers, licensed dealers and licensed collectors located in Colorado can sell or deliver a rifle or shotgun to a resident of a state contiguous to this state subject to certain restrictions. The restrictions are that the resident's state must permit the sale; the seller must fully comply with the legal provisions of both states; and the purchasers and licensee must have complied with all of the requirements of the federal Gun Control Act of 1968. The same restrictions apply to gun manufacturers, dealers and collectors located in contiguous states that sell or deliver to a resident of Colorado. This bill eliminates those restrictions for both types of transactions.

**Status:** 3/25/2014 House Second Reading Laid Over Daily

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**Felony for Repeat DUI Offenders****HB 14-1036***House: Waller and Saine*

Under current law, a DUI, DUI per se, or a DWAI is a misdemeanor offense. This bill would make it a class 4 felony if the violation occurred not more than 7 years after the first of two prior convictions of DUI, DUI per se, DWAI, vehicular assault, or vehicular homicide; or the violation occurred after 3 prior convictions of DUI, DUI per se, DWAI, vehicular assault, or vehicular homicide

**Status:** 03/18/2014 House Committee on Judiciary refer to Appropriations**Colorado Association of Chiefs of Police- SUPPORT**

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**Enforcing Laws against Designer Drugs****HB 14-1037***House: Landgraf; Senate: Baumgardner*

This bill would make it unlawful to distribute, dispense, manufacture or sell any product that is labeled as incense or any other trademark if the product contains any amount of any synthetic cannabinoid. This bill establishes penalties for violations: between \$10,000 and \$500,000 for each violation and between \$25,000 and \$500,000 for each violation when the product is sold, dispensed or distributed to a minor.

**Status:** 02/06/2014 House Committee on Judiciary Refer to Appropriations

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**Parolee Tampering with Electronic Monitoring Devices****HB 14-1044***House: Gerou; Senate: Nicholson & Roberts*

This bill would subject a parolee who violates the conditions of his or her parole by removing or tampering with an electronic monitoring to an immediate warrantless arrest. If a Parole Officer has probable cause to believe a parolee has removed or tampered with the device, the officer shall immediately make a warrantless arrest or no later than 12 hours, or notify a law enforcement agency. If the state board of parole determines that a parolee has violated the conditions of his or her parole by removing or tampering with an electronic monitoring device, the board shall revoke the parolee's parole and reinstate the remainder of the parolee's sentence.

**Status:** 02/06/2014 House Committee on Judiciary Refer to Appropriations

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**CBI Authority to Investigate Computer Crime****HB 14-1095***House: Kagan and Gardner; Senate: Newell*

This bill requires the CBI to conduct criminal investigations and develop and collect information regarding computer crime in order to identify, charge and prosecute criminal offenders and enterprises that unlawfully access and exploit computer systems and networks. CBI must also provide awareness training and information concerning cyber-security and security risks to the IT Critical Infrastructure Industry.

**Status:** 02/11/2014 House Committee on Judiciary Refer to Appropriations

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**Crime of Cyber Bullying****HB 14-1131***House: Fields*

The bill adds to the crime of harassment the use of interactive computer service to engage in a course of conduct that inflicts serious emotional distress on a minor or places the minor in reasonable fear of death or serious bodily injury with intent to cause the fear of death or serious bodily injury or with the intent to cause death or serious bodily injury.

The crime is a class 2 misdemeanor unless the intent was to harass the person because of the person's race, color, religion, ancestry, or national origin, then it is a class 1 misdemeanor.

**Status:** 003/26/2014 Senate Committee on Judiciary- Witness testimony only

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**Minimum Sentences for Vehicular Assault****HB 14-1158***House: Lawrence; Senate: King*

The bill requires the court to sentence a person convicted of vehicular homicide or vehicular assault who was under the influence of drugs or alcohol at the time of the accident to at least the minimum term of imprisonment in the department of corrections for the offense, except when a longer sentence is required by law. Additionally, the defendant is not eligible for probation or a suspended sentence.

**Status:** 03/25/2014 House Committee on Judiciary Refer to Appropriations

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**Funding for Digital Trunked Radio System Maintenance****HB 14-1203***House: Duran; Senate: Lambert*

The Statewide Digital Trunked Radio System provides interoperable radio communications that allow personnel from multiple agencies in different levels of government to rapidly share information and coordinate efforts in emergency situations. This bill directs the general assembly to appropriate a total of \$3.5 million from the General Fund and from the Highway Users Tax Fund for maintenance of the system.

**Status:** 02/19/2014 House Committee on Finance Refer to Appropriations

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**Increased Penalties for Assault of Emergency Service Providers****HB 14-1214***House: Gerou*

Under current law, there are increased penalties for assault in the first degree, assault in the second degree, and murder in the first degree against police officers and firefighters if the victim was engaged in the performance of his or her official duties and the offender could reasonably have known that the victim was a police officer or a firefighter. This bill would expand current law to include emergency service providers.

**Status:** 02/11/2014 House Committee on Judiciary Refer to Appropriations**Colorado State Fire Chiefs- SUPPORT**

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**Required Hands Free Telephones When Driving****HB 14-1225***House: Melton*

This bill prohibits an adult from using a wireless telephone while driving for a phone call unless the person uses a hands-free device. The bill also adds "application" to the current prohibition from texting while driving.

**Status:** 03/12/2014 House Committee on Transportation & Energy Committee Vote - Final Action Failed

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**Human Trafficking****HB 14-1273***House: McCann, Wright; Senate: Newell and Schwartz*

This bill repeals and reenacts existing provisions concerning human trafficking. A person who knowingly sells, recruits, harbors, transports, transfers, isolates, induces, entices, provides, receives, or obtains by any means another person for the purpose of coercing the other person to perform labor or services commits human trafficking for involuntary servitude. Human trafficking of an adult for involuntary servitude is a class 3 felony. Human trafficking of a minor for involuntary servitude is a class 2 felony. Human trafficking of a minor for sexual servitude is a "sex offense against a child" for the purposes of the statute of limitations. This means that there is no limit to the period of time within which criminal proceedings may be initiated against an offender. Finally, this bill creates the Colorado Human Trafficking Council within the Department of Public Safety.

**Status:** 03/11/2014 House Committee on Judiciary Refer to Appropriations

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**Funding for Breathalyzers for Law Enforcement****HB 14-1310***House: Ginal and Gardner Senate: King & Johnston*

This bill recreates the Evidential Breath Testing Cash Fund under the Department of Public Health and Environment. The cash fund is established to purchase breathalyzers for law enforcement agencies. No funding is initially proposed for the fund, but the General Assembly may appropriate funds at a later point.

**Status:** 03/06/2014 Introduced in House- Assigned to Judiciary

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**State Toxicology Laboratory****HB 14-1340***House: Gerou; Senate: Lambert*

This bill requires the Colorado Bureau of Investigation (CBI) to operate a state toxicology laboratory on or before July 1, 2015. The purpose of the new laboratory is to assist local law enforcement agencies in the enforcement of laws for driving under the influence (DUI) of alcohol or drugs. The CBI is authorized to recover its direct and indirect costs through fees for the services performed. Previously, the Colorado Department of Public Health and Environment administered the state toxicology lab until it was suspended in 2013 due to complaints of bias. The City of Grand Junction uses a private toxicology contractor.

**Status:** 03/28/2014 House Third Reading Passed**NEW!**

<p><b>Safe2Tell Program</b>  <i>Senate: Carroll, King; House: Ferrandino</i>          Safe2Tell, a program created in statute to allow the anonymous reporting of dangerous and criminal activities in schools, is currently administered by a nonprofit organization (Safe2Tell, Inc.). This bill repeals the existing program and recreates it in the Department of Law (DOL).  <b>Status:</b> 02/06/2014 Senate Committee on Finance refer to Appropriations  <b>Colorado Association of Chiefs of Police- SUPPORT</b></p>	<p><b>SB 14-002</b></p>
<p><b>Marijuana Criminal Provision Clean Up</b>  <i>Senate: Steadman; House: May</i>          The bill adds consumption and possession of marijuana and possession of marijuana paraphernalia to the crime of underage possession or consumption of alcohol.  <b>Status:</b> 02/26/2014 Introduced in House- Assigned to Judiciary</p>	<p><b>SB 14-129</b></p>
<p><b>Colorado Firefighting Air Fleet</b>  <i>Senate: Carroll and King;</i>          This bill authorizes the Division of Fire Prevention and Control to purchase, lease, or contract for the use and operation of up to 3 firefighting helicopters for use in the 2014 fire season and up to 4 large aircraft in the 2015 fire season. The Division is permitted to contract for the retrofitting, maintenance, storage, and operation of the planes.  <b>Status:</b> 03/21/2014 Introduced in Senate- Assigned to Agriculture, Natural Resources and Energy</p>	<p><b>SB 14-164</b></p> <p style="text-align: right;"><b>NEW!</b></p>
<p><b>Designate Funeral Vehicles as Emergency Vehicles</b>  <i>Senate: Todd and King; House: Coram and Kraft-Tharp</i>          This bill expands the definition of “authorized emergency vehicle” to include privately owned vehicles for the purpose of escorting funeral procession. The designation applies only when the vehicle is being used for that purpose.  <b>Status:</b> 03/27/2014 Introduced in Senate- Assigned to Judiciary</p>	<p><b>SB 14-170</b></p> <p style="text-align: right;"><b>NEW!</b></p>

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**Expand Availability of Affordable Housing****HB 14-1017***Senate: Ulibarri; House: Duran*

This bill makes several changes to the Housing Investment Trust Fund (formerly Home Investment Trust Fund). The bill expands the sources of money that may be used to support the trust fund to include any funding source available to the general fund. The bill also clarifies that the Division of Housing can, in addition to loaning money, also make loan guarantees. The bill also eliminates the requirement that borrowers are required to seek replacement loans within 180 days of the loan.

**Status:** 03/18/2014 Senate Committee on Finance refer to Appropriations**CML- SUPPORT**

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**Foreclosure Cure Remit Unpaid Fees to Borrower****HB 14-1130***House: McCann; Senate: Ulibarri*

Current law is silent on when and how fees for court filings, published notices, and other costs of foreclosure are to be calculated and paid, and if overpaid, refunded. This bill requires that all costs and fees charged to a borrower must be accurately accounted for and promptly refunded if overpaid.

**Status:** 03/13/2014 Senate Committee on Local Government Expert Witness Testimony Only

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**Residential Storage Condo Unit as Real Property****HB 14-1143***House: Saine; Senate: Hodge*

This bill would establish residential storage condominium units as a residential improvement. This would require the unit to be assessed as residential real property as opposed to nonresidential real property (assessed at 7.96% instead of 29%).

**Status:** 02/12/2014 House Committee on Local Government Refer Amended to Appropriations**CML- SUPPORT**

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**Continue Foreclosure Deferment Program****HB 14-1312***House: Williams Senate: Ulibarri*

This bill continues the Foreclosure Deferment Program until September 2015 (currently set to expire in June 2014). The Foreclosure Deferment Program allows borrowers to stay in their home for a 90-day foreclosure deferment program if they meet certain requirements established in statute.

**Status:** 03/27/2014 Introduced in Senate- Assigned to Judiciary

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**Phase In High Efficiency Water Fixtures****SB 14-103***Senate: Guzman; House: Fischer*

This bill prohibits the sale of lavatory faucets, shower heads, flushing urinals, tank-type toilets and tank-type water closets on and after 9/1/2016 unless they are "watersense-licensed" plumbing fixtures. The Watersense program is administered by the EPA and certifies fixtures to be meeting a certain level of efficiency.

**Status:** 03/20/2014 House Second Reading Laid Over Daily**AGNC- SUPPORT/Colorado Water Congress- SUPPORT**

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**Reauthorization of Real Estate Appraisers****SB 14-117***Senate: Jahn; House: Fischer*

Senate Bill 13-154 should have reauthorized the continuation of the Board of Real Estate Appraisers and its functions through September 2022. However, there was a mistake in the bill and the repeal date was 7/1/2013. This bill corrects the oversight by replacing the repeal date.

**Status:** 03/13/2014 Introduced in House- Assigned to Business, Labor, Economic & Workforce Development

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**New Energy District Finance Water Conservation****SB 14-171***Senate: Schwartz; House: Tyler*

The Colorado New Energy Improvement District may arrange for financing (secured by liens on the affected real estate) for the installation of energy efficiency improvements to commercial and residential property. This bill adds water conservation fixtures to energy efficiency improvements.

**Status:** 03/27/2014 Introduced in Senate- Assigned to Agriculture, Natural Resources & Energy**NEW!**

<b>Research Retrieval Fees for Public Records Under CORA</b>	<b>HB 14-1193</b>
<i>House: Salazar; Senate: Kefalas</i>	
Current Law allows a custodian of public records under the Colorado Open Records Act to impose a fee in response to a request for the research and retrieval of such records only if the custodian has, prior to the date of receiving the request, either posted on the custodian's website or other publishes a written policy that specifies the CORA policy of the jurisdiction. This bill would prohibit the custodian under any circumstances from charging an hourly research fee that exceeds 3-times the minimum wage.	
<b>Status:</b> 03/28/2014 Conference Committee Requested	
<b>AGNC- OPPOSE</b>	
<b>Local Government Marijuana Impacts Task Force</b>	<b>HB 14-1196</b>
<i>House: Gerou; Senate: Jahn</i>	
This bill creates the Marijuana Impacts Task Force in the Department of Local Affairs to study the impact on local governments related to the cultivation, testing, sale, consumption, and regulation of retail marijuana. The task force is required to evaluate the impacts that retail marijuana has on local government services and budgets.	
<b>Status:</b> 02/20/2014 House Committee on Local Government Lay over Amended	
<b>Marijuana Diversion Prevention Grant Program</b>	<b>HB 14-1209</b>
<i>House: Stephens; Senate: Coram</i>	
This bill creates the Marijuana Diversion Prevention Grant program that the General Assembly may fund using surplus funds in the marijuana cash fund. The Grant program will award grants to the state patrol and local law enforcement agencies that share a boarder with Colorado to prevent the diversion of retail marijuana from Colorado.	
<b>Status:</b> 02/20/2014 House Committee on Health, Insurance and Environment refer to Appropriations	
<b>Cameo Shooting Range Bill</b>	<b>HB 14-1275</b>
<i>House: Duran and Coram; Senate: Jahn and Roberts</i>	
This bill authorizes the Parks and Wildlife Commission in the Department of Natural Resources to purchase the Cameo location for the purpose of building a multi-use shooting facility. This bill does not appropriate funding, but establishes that funding may come from appropriation, grants or federal government resources.	
<b>Status:</b> 02/10/2014 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources	
<b>GJ Chamber- SUPPORT/AGNC- SUPPORT</b>	
<b>Legislature to Take Public Testimony at Remote Locations</b>	<b>HB 14-1303</b>
<i>House: Scott and Ferrandino</i>	
This bill prohibits the state or local government from accessing an individual's personal medical information or medical records without the individual's consent. If the employee authorizes its government employer to access his or her personal medical information or record, the consent applies for the duration of the claim or request only.	
<b>Status:</b> 03/04/2014 Introduced In House - Assigned to State, Veterans, & Military Affairs	
<b>GJ Chamber- SUPPORT/AGNC- SUPPORT</b>	
<b>Palisade Peach State Fruit</b>	<b>HB 14-1304</b>
<i>House: Williams; Senate: King</i>	
This bill would designate the Palisade Peach as the official state fruit of Colorado.	
<b>Status:</b> 03/05/2014 Introduced In House - Assigned to State, Veterans, & Military Affairs	

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**Firefighter Safety Grant Program**

SB 14-046

*House: Exum; Senate: Nicholson*

Until 2013, the Wildfire Preparation Fund received an annual transfer of \$3.25 million from the mineral leasing fund. In 2013, the funding was substituted with a portion of insurance premium taxes. This bill creates a new fund and requires the \$3.25 million to be transferred annually for the next 5 years from the mineral impact fund. The new fund is the Local Firefighter Safety fund and provides grants to local governments for equipment and training designed to increase firefighter safety and prevent occupation-related diseases. The grant will be administered by the Division of Fire Safety and Control and allows the division to expend up to 3% per year from the fund.

**Status:** 02/13/2014 Senate Committee on Finance refer to Appropriations**CML- SUPPORT****Colorado State Fire Chiefs- SUPPORT****AGNC- OPPOSE**

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**One Percent Reduction in the State Budget**

SB 14-085

*Senate: Hill*

For the fiscal year 2014-2015, this bill requires at least a 1% reduction in:

- The appropriation to the legislative branch, the judicial branch, and each executive department;
- A state agency's use of continuously appropriate moneys; and
- A state agency's use of federal funds.

The bill requires an amount equal to the reduction be refunded to the taxpayers through a sales tax refund mechanism.

**Status:** 01/14/2014 Introduced in the House- Assigned to Appropriations

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**Medical Marijuana Health Effects Grant Program**

SB 14-155

*Senate: Steadman; House: May*

This bill creates a Health Research subaccount in the Medical Marijuana Program Cash Fund to provide funding for a Medical Marijuana Research Grant Program. \$10 million may be transferred into this account. The State Board of Health is charged with promulgating rules and administering the grant program.

**Status:** 03/10/2014 Introduced In Senate - Assigned to Health & Human Services

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**Income Tax Credit for Child Care Expenses** **HB 14-1072**  
*House: Pettersen; Senate: Keflas*  
Under current law, if resident individuals are allowed a federal income tax credit for childcare expenses, they are also able to claim a state income tax credit for the same expense. The state credit is a percentage of the federal credit claimed. Because the federal credit is not refundable, the amount of the individual's federal tax liability may limit the state tax credit. This bill creates a new state tax credit for a resident with an AGI of \$25,000 or less. The amount of the credit is equal to 25% of the child care expense.

**Status:** 03/05/2014 House Committee on Finance Refer to Appropriations

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**Sales Tax Holiday for Back to School Items** **HB 14-1094**  
*House: Pabon; Senate: Jahn*  
This bill creates a sales and use tax exemption for back-to-school items. The exemption applies for 3 days in August and covers clothes, shoes, and school supplies.

**Status:** 02/19/2014 House Committee on Finance Refer to Appropriations

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**Community Solar Garden Business Personal Property Tax Exemption** **HB 14-1101**  
*House: Tyler; Senate: Schwartz*  
Business owners of community solar gardens are subject to personal property tax on the personal property used to generate electricity. The assessor determines the value based upon the alternating current electricity generating capacity of the personal property multiplied by the cost per kW of electricity. This bill would exempt that percentage of electricity that is attributable to residential or governmental subscribers. Therefore the business owner will only be assessed tax on the electricity generating capacity used by business.

**Status:** 03/05/2014 House Committee on Transportation & Energy Refer Amended to Finance

**AGNC- OPPOSE**

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**State Sales and Use Tax Exemption for Biogas Equipment** **HB 14-1159**  
*House: Young & Dore; Senate: Schwartz and Crowder*

This bill would create a sales and use tax exemption for component parts used in biogas production systems.

**Status:** 02/13/2014 House Committee on Finance Refer Amended to Appropriations

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**State Sales and Use Tax Exemption for Space Flight Property** **HB 14-1178**  
*House: Ferrandino, DelGrosso; Senate: Hodge, Grantham*

This bill would create sales and use tax exemption for tangible personal property used in space flight.

**Status:** 02/13/2014 House Committee on Finance Refer Amended to Appropriations

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**Income Tax Credit for Business Personal Property** **HB 14-1279**  
*House: Primavera, Wright; Senate: Heath*

This bill would create an income tax credit to reimburse taxpayers for personal property taxes paid in Colorado. The credit is equal to the amount of personal property tax paid, less reduction in federal and state income tax due to the reduction in tax liability for state and local taxes paid.



The credit amount is calculated as a percentage of the property taxes paid for personal property. The percentage is equal to 100% less the taxpayer's federal marginal income tax rate plus 4.63%. (Fiscal note is still unavailable- my assumption is that the calculation would be as follows: for a taxpayer with a marginal income tax rate of 15%, the credit would be equal to their personal property taxes paid x 89.63% [100-15+4.63]). The amount of the credit that exceeds tax liability is refunded to the taxpayer. The credit is authorized for 5 income tax years beginning January 1, 2014. To qualify for the credit, the taxpayer must have less than \$25,000 worth of personal property subject to personal property tax. To claim the credit, the taxpayer must submit a copy of the property tax bill.

**Status:** 03/19/2014 House Committee on Finance refer Amended to Appropriations

**CML- SUPPORT**

**GJ Chamber of Commerce- SUPPORT**

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**Tax Incentives for Alternative Fuel Trucks**

HB 14-1326

*House: Primavera, Scott; Senate: Hodge***NEW!**

The bill expands an existing income tax credit for the purchase, lease or conversion of the following qualifying motor vehicles to include:

- Electric or plug in electric trucks weighing over 8,500 pounds;
- LNG and hydrogen operated trucks;
- heavy duty trucks;
- EPA approved devices that minimize drag and improve air flow over a truck or trailer; and
- Clean fuel refrigerated trailers

There is an existing sales tax exemption for low-emitting-vehicles weighing over 10,000 lbs. This bill reduces the applicability of the tax exemption to:

- Vehicles weighing over 10,000 lbs. if the motor vehicle is:
  - Original equipment manufactured CNG, LPG, LNG, Hydrogen, electric and plug-in-electric trucks or
  - Converted CNG, LPG, LNG, Hydrogen, electric and plug-in-electric trucks and
  - Vehicles weighing over 26,000 lbs. if the vehicle is certified by the EPA and National Highway Traffic Safety Administration as meeting the new fuel efficiency standards.

Finally, the bill reduces specific ownership tax to only 75% of the actual purchase price for original and converted CNG, LPG, LNG, Hydrogen, electric and plug-in-electric trucks.

**Status:** 03/19/2014 Introduced in House- Assigned to Transportation and Energy

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**Property Tax, Rent, and Heat Rebate Program for Low Income**

SB 14-014

*Senate: Keflas; House: Pettersen*

Under current law, the Property Tax, Rent, and Heat Rebate Program administered by the Colorado Department of Revenue provides individuals, married couples at least 65 years old (or a surviving spouse aged 58 or over), and disabled claimants grants for certain property tax or rent expenses and an additional rebate for heat expenses. This bill makes certain changes to the program including:

- increasing the maximum property tax and rent rebate for income-eligible claimants from \$600 to \$700;
- establishing a minimum rebate for both property tax and rent rebate and heat rebate (\$227 for the real property tax expense assistance grant and \$73 for the heat or fuel expenses assistance grant); and
- Expands the range of income eligibility from approximately \$12,639 to \$14,937 for individuals and from approximately \$16,935 to \$20,163 for married couples; and

**Status:** 01/30/2014 Senate Committee on Health & Human Services Refer Amended to Appropriations

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**Brownfield Contaminated Land Income Tax Credit**

SB 14-073

*Senate: Jahn; House: Gerou*

From 2000-2010, there was a state income tax credit for taxpayers who conducted certain environmental remediation activities on property that was proposed for redevelopment. This bill reauthorizes the credit for 9 years. The property can be anywhere in the state and the remediation does not have to be for property that will be redeveloped. The credit is available for individuals, organizations and qualified entities (local governments and not-for-profits). The amount of the credit is 40% of the first \$750,000 of costs and 30% of the costs between \$750,000 and \$1.5 million.

**Economic  
Development**

**Status:** 03/13/2014 Senate Committee on Finance Refer to Appropriations

**CML-SUPPORT**

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**Deployed Military Motor Vehicle Taxes and Fees**

SB 14-075

*Senate: Baumgardner; House: Sonnenberg*

This bill exempts a member of the US Armed Forces from paying the basic motor vehicle registration fees and authorizes payment of an alternate specific ownership tax of \$1 if the person is deployed outside the United States for a full year. The vehicle may not be driven during this time.

**Status:** 02/11/2014 Senate Committee on Finance Refer Amended to Appropriations

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**Water Flexible Markets****HB 14-1026***House: Fischer; Senate: Schwartz*

Colorado water law prohibits speculation in water rights. Under the anti-speculation doctrine, an applicant who wishes to change the beneficial use of an irrigation water right must identify for the water court the specific use for which the water will actually be used. This bill excludes flex use from the anti-speculation doctrine and describes the procedures for approval of a flex use change-in-use decree and a flex use substitute water supply plan. It allows a holder of an irrigation water right to change the beneficial use to any beneficial use. This holder can then implement fallowing, regulated deficit irrigation, reduced consumptive use cropping, or other alternative cessation of agricultural irrigation on the property that is served by the water right.

**Status:** 02/05/2014 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy**Colorado Water Congress- SUPPORT****Colorado River District- OPPOSE Unless Amended**

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**Oppose Federal Special Use Permit Water Rights****HB 14-1028***House: Sonnenberg; Senate: Roberts*

This bill deems as speculative the acquisition of a water right by the United States government as a result of a transfer or conveyance required as a condition of a special use permit for entering or using federally owned land. Such a water right is forfeited by the United States and reverts to the prior owner. Colorado water law prohibits speculation in water rights.

**Status:** 03/12/2014 Senate Committee on State, Veterans, & Military Affairs Witness Testimony and/or Committee Discussion Only**Colorado Water Congress- SUPPORT****AGNC- SUPPORT**

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**Increase Water Right Diligence from 6 to 10 Years****HB 14-1320***House: Vigil*

Under current law, owners of conditional water rights must file for a finding of reasonable diligence with the Water Judge every 6 years until the water right has been decreed absolute or abandoned. This bill would increase the diligence period from 6 to 10 years.

**Status:** 03/14/2014 Introduced in House- Assigned to Agriculture, Livestock & Natural Resources**Colorado Water Congress- SUPPORT**

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**Limit Use of Agriculture Water for Lawn Irrigation****SB 14-017***Senate: Roberts; House: Vigil, Coram*

As amended, this bill would require a committee to investigate the issues raised by the bill as originally introduced, including: the identification and quantification of the best practices to limit municipal outdoor water consumption; and proposed legislation to facilitate the implementation of those best practices.

**Status:** 02/24/2014 Introduced in House- Assigned to Agriculture, Livestock and Natural Resources**Colorado Water Congress- SUPPORT**

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**Transfer Water Efficiency Savings to Instream Use****SB 14-023***Senate: Schwartz*

This bill defines "water efficiency savings" and allows water efficiency savings to be changed or loaned only to the Colorado Water Conservation Board for instream use. Water Efficiency Savings is defined as the portion of a water right used solely for agricultural irrigation or stock watering purposes in water division 4, 5, 6, or 7 that is non-consumptive under existing practices and that result from efficiency measures. The bill also allows water efficiency savings to be changed or loaned, pursuant to existing water court and water loan statutes, only to the Colorado water conservation board, only for instream use, and only if:

- The application was filed within 2 years after the diversions were decreased due to efficiency measures;
- The change or loan will not materially injure decreed water rights; and
- The change or loan will not adversely affect Colorado's interstate compact entitlements or obligations.

**Status:** 03/14/2014 Introduced in House- Assigned to Agriculture, Livestock and Natural Resources**Colorado Water Congress- SUPPORT**

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**State Water Plan: Public Review and GA Approval****SB 14-115***Senate: Roberts and Schwartz; House: Fischer and Coram*

The bill requires the Colorado Water Conservation Board to hold a hearing on a draft state water plan within each basin roundtable, update the plan based on public comments, and present the draft plan to the water resources review committee. The committee must vote on whether to introduce legislation that would approve the plan. The plan would not be incorporated into official state water policy unless the General Assembly approves the legislation.

Governor Hickenlooper previously issued an Executive Order that directed the CWCB to commence work on the Colorado Water Plan and to submit a draft to the Governor by December 2014. The plan is set to be completed by December 2015.

**Status:** 03/28/2014 Introduced in House- Assigned to Agriculture, Livestock and Natural Resources**Colorado Water Congress- SUPPORT**

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**Water Conservation Initiatives****SB 14-145***Senate: Hodge and Roberts*

The bill requires local governments to consider whether tap fees should be reduced if a developer commits to the implementation of water efficiency and conservation measures with regard to irrigated landscapes, including open space and residential lawns, within the subdivision. This bill also prohibits county and municipal subdivision regulations from mandating a minimum percentage of a subdivision that must consist of irrigated vegetation or requiring the irrigation of medians.

**Status:** 02/13/2014 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy**CML- OPPOSE****Colorado Water Congress- OPPOSE**

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**Tax Credit for Property Destroyed by a Natural Cause** **HB 14-1001**  
*House: Singer; Senate: Nicholson*  
This bill establishes an income tax credit for a taxpayer that owns real or business personal property that was destroyed by a natural cause. The credit is equal to the property tax paid, and the credit is only valid for the year it was destroyed.  
**Status:** 03/12/2014 House Committee on Finance Refer Amended to Appropriations

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**Water Infrastructure Natural Disaster Grant Fund** **HB 14-1002**  
*House: Young; Senate: Jones*  
This bill creates the Natural Disaster Grant Fund and directs the Colorado Department of Public Health and Environment to award grants from the fund to local governments, including local governments who accept on behalf of not-for-profit public water systems, for the planning, design, construction, improvement, renovation or reconstruction of domestic wastewater treatment works and public drinking water systems that have been impacted, damaged, or destroyed in connection with a natural disaster. The bill appropriates \$12 million to the fund and the unappropriated balance of the Nutrients Grant fund.  
**Status:** 03/13/2014 Senate Committee on Agriculture, Natural Resources and Energy refer to Appropriations  
**CML, AGNC, Colorado Water Congress, Colorado River District- SUPPORT**

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**Nonresident Disaster Workers Exemption from Income Tax** **HB 14-1003**  
*House: Nordberg; Senate: Keflas*  
Individuals from other states are liable to pay Colorado income tax on income derived from all sources within Colorado. This bill exempts nonresident individuals who perform disaster emergency in the state.  
**Status:** 03/13/2013 Senate Committee on Finance refer to Appropriations

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**Prohibit Agricultural Burn** **HB 14-1007**  
*House: Hamner*  
This bill expands the authority of county governments to regulate fires. Under the bill, counties may ban or restrict agricultural burning on "red flag" days, when red flag warning or fire weather watches have been issued by the National Weather Service. As amended in the Senate Local Government Committee, this bill does not impact the ability of Counties to regulate fireworks.  
**Status:** 03/28/2014 Senate Reading Laid Over until 5/8/2014  
**Colorado State Fire Chiefs- SUPPORT**

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**Change Wildfire Mitigation Tax Deduction to Credit** **HB 14-1009**  
*House: Exum; Senate: Nicholson*  
The bill changes the wildfire mitigation income tax deduction to the wildfire mitigation income tax credit. An income tax deduction reduces a taxpayer's taxable income, the amount to which the tax rate is applied. A tax credit reduces a taxpayer's tax liability by taking a dollar-for-dollar reduction in what is owed by what the credit allows. The bill authorizes the credit of up to 50% of the costs incurred (capped at \$2,500) in performing wildfire mitigation measures. Credits may be carried forward 5 years.  
**Status:** 01/29/2014 House Committee on Finance refer to Appropriations  
**Colorado State Fire Chiefs- SUPPORT**

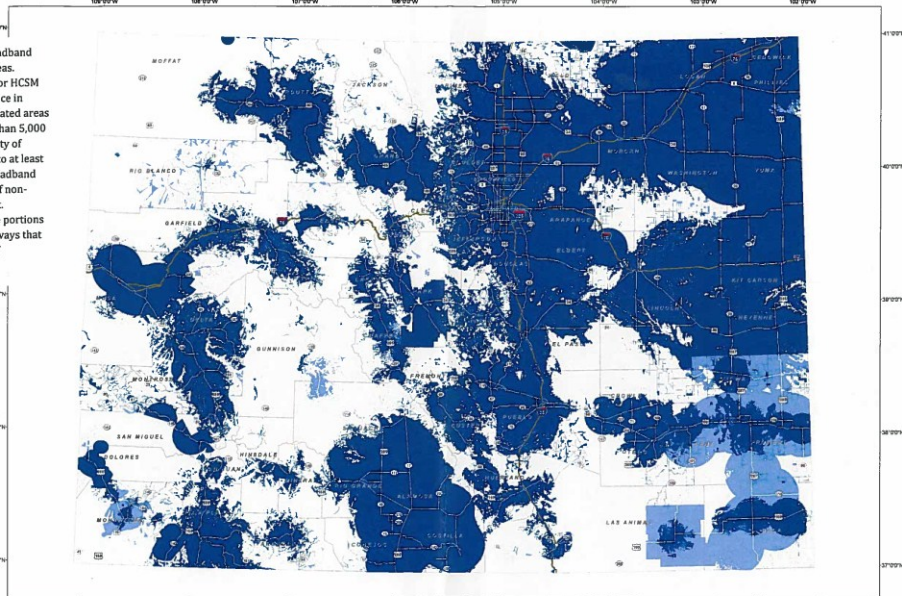
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**Create Wildfire Information & Resource Center** **SB 14-008**  
*Senate: Roberts*  
This bill creates the Wildfire Information and Resource Center (WIRC). The Center is charged with collecting wildfire-related information and links in an on-line resource for homeowners, fire professionals, the media, and educators. The WIRC must present information related to: current wildfires and prescribed burns; wildfire prevention and preparation; statewide fire conditions; fire training; funding for wildfire mitigation; and other research and information at the discretion of the director of the DFPC.  
**Status:** 01/14/2014 Senate Committee on Local Government Refer Unamended to Appropriations  
**Colorado State Fire Chiefs- SUPPORT**

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# COLORADO TERRESTRIAL BROADBAND NTIA SERVED / UNDERSERVED

NOTE: This map shows Broadband Served and Underserved areas. House Bill 14-1328 allows for HCSM funding for broadband service in Underserved areas: unincorporated areas or municipalities with less than 5,000 residents that have a majority of households without access to at least one provider of satellite broadband internet and one provider of non-satellite broadband internet. Underserved areas also include portions of state and interstate highways that lack at least one provider of broadband.



**Legend**  
**Service Areas**  
 Underserved (less than 3 Mbps)  
 Served  
 Counties  
 Major Roads

This map shows the terrestrial broadband speeds reported to OT for the Colorado Broadband Data and Development Program by broadband providers. The speeds are reported to OT as "Served" and "Underserved" as classified by the Federal Communications Commission. The speeds are overlaid by resident's speed tests conducted with OT. The reported speed tests report to us faster than provide reported speeds, and the reported speed tests show faster than reported speeds. All test were taken within 6 months of publication.

Data: Colorado Broadband Data and Development Program  
 Publication: 07/16/2016  
 For questions or comments contact: [tom.mccormack@colorado.gov](mailto:tom.mccormack@colorado.gov)  
 Map: 1.0.0  
 Scale: 1:250,000

