

2019 Session Facts

- Democrat/Republican split in House of Representatives: 41/24
- Republican/Democrat/Unaffiliated split in the Senate: 19/16
- Number of bills, resolutions, and memorials introduced during the 2019 Legislative Session: 653
- Number of bills signed by the Governor as of 5/3/19: 155
- Number of bills vetoed as of 5/3/19: 0
- Last day for the Governor to Act: June 2, 2019

Introduction

The 2019 Legislative Session commenced with a new political landscape. Democrats entered the session with control of the Senate, House, and Governor's office, and identified as a priority many policies that failed to pass in a divided legislature. Governor Polis quickly showed a more hands on approach than the previous Governor. Many controversial bills saw lengthy committee hearings where members of the public shared their opinions, and debates during floor work often extended late into the night and in to the following morning. The most controversial bills included an overhaul of the oil and gas regulations, joining other states in the [National Popular Vote](#), creating an [Extreme Risk Protection Order](#), revisiting [comprehensive sexual education requirements](#), requiring paperwork to be submitted to health departments for [school immunizations](#), allowing local governments to impose [rent control](#), a repeal of the [death penalty](#) and revisions to the [Election Code](#), just to name a few. These controversial pieces of legislation often stalled work on other bills as members filibustered on the floor of the House and Senate. Of the controversial bills, SB19-042 National Popular Vote, HB19-1177 Extreme Risk Protection Orders passed and HB19-1032 Comprehensive Sexuality Education passed after it was heavily amended. SB19-225 Authorize Local Governments to Stabilize Rent ran out of time when it was delayed for debate on the floor. HB19-1312, School Immunization Requirements also died on the calendar. SB19-182, Repeal the Death Penalty, was killed when the bill sponsor laid over the bill for consideration until May 4th (the day after the end of session). There were concerns about the process the bill went through and whether or not it had the votes to pass the Senate was in question.

In the final weeks of the session, Senate Republicans filibustered for hours on the floor each day. This delayed movement of controversial and bipartisan bills alike as the chamber often only worked through a handful of bills every day. The tactic led to several last-minute deals including paring down the paid family and medical leave bill to an implementation study. The Saturday before the session ended, both chambers of the legislature met to work through the backlog of bills. On the last Monday of session, the Senate pulled an all-nighter, working past 5:30am on Tuesday morning. During that marathon session, Senate Majority Leader Fenberg invoked a rarely used rule to limit debate. The slowdown in the Senate meant that leadership had to begin to prioritize certain bills over others. Because of the likelihood of many bills dying on the calendar, the threat of a special session loomed as the Legislature wrapped up its final week.

Referred Measures

Colorado's unique Taxpayer Bill of Rights (TABOR) requires that new taxes or tax increases be voted on by Colorado taxpayers. The legislature may refer these types of ballot questions or they may be brought through the petition process by citizens.

- **[HB19-1257](#) by Representatives Becker and McCluskie and Senators Court and Priola: Voter Approval to Retain Revenue for Education and Transportation and [HB19-1258](#) by Representatives Becker and McCluskie and Senators Court and Priola: Allocate Voter Approved Revenue for Education and Transportation**

This session, Speaker of the House KC Becker led the push for two statewide “de-brucing” bills that will ask voters for permission to permanently retain revenue above the TABOR cap and use the revenue above the TABOR limit for K-12 education, transportation, and higher education. HB19-1257 sends the question to the voters and HB 1258 delineates how the revenue would be spent if the ballot measure is approved by the voters. While these measures had broad support from a diverse group of bipartisan organizations, the bill saw debate on the floor of the House and Senate as Republicans argued that the measures weakened the original intent of TABOR. The ballot measure, Proposition CC, will require a simple majority to pass at the 2019 November election. **HB19-1257 and HB19-1258 passed the legislature.**

- **[HB19-1327](#) by Representatives Garnett and Neville and Senators Donovan and Cooke: Authorize and Tax Sports Betting Refer Under TABOR**

Sports betting is currently prohibited in Colorado, but a recent Supreme Court case allows states to individually decide to authorize sports betting. HB19-1327 allows facilities where limited gaming currently occurs to apply for a sports betting license. Voters must first decide whether to approve a 10% tax on sports betting proceeds. If the ballot measure is successful, the majority of the new tax revenue would fund implementation of the Colorado Water Plan. Six percent of the revenue will be held out off the top to create a hold harmless fund to which the State Historical Fund, Colorado Community College System, cities and counties as well as horse racers may apply if these recipients of current gaming revenues see a decline in their funding. **The bill passed the legislature**

- **[SCR19-003](#) by Senator Priola and Representative Gray: Replace Motor Fuel Taxes with Additional Sales Tax**

This proposed change to the constitution would have sent a ballot question to voters in 2020 to replace the state gas tax with an additional sales tax dedicated for transportation. With fuel efficiency increasing, cars can travel farther with less gas. This development, in addition to the fact that the tax rate has not been increased in decades, has led to a significant decline in gas tax revenues. Using sales tax revenue would more effectively index revenues for transportation to inflation. Amid concerns of the constitutionality of these changes to the gas tax and because it would likely not pass with 2/3s of the vote in the legislature, the **bill was postponed indefinitely in the Senate Transportation and Energy Committee on April 18, 2019.**

- **[HB19-1333](#) by Representative Caraveo and Senator Fields: Cigarette Tobacco and Nicotine Products Tax**

The bill would have sent a ballot question to the voters to approve an increase in tobacco taxes and a new tax on vaping products and other nicotine products not currently subject to tobacco taxes. The revenue would go to behavioral health services for youth, measures to make health care more affordable, and tobacco prevention and education programs. **The bill died on a rare division vote during second reading in the Senate on May 2, 2019.**

FY 2019-2010 Budget

This year's budget included significant investments in K-12 education, higher education, and transportation. Governor Polis's top policy priority was funding full day kindergarten, which was approved by the Joint Budget Committee and through implementing legislation. A significant increase in the estimated revenue from local property taxes delivered funding to the K-12 education budget. In addition, the budget stabilization factor was reduced by \$77 million in the long bill.

Other budget highlights include:

- Removing a footnote arbitrarily capping the number Colorado Road and Community Safety Act driver's licenses issued at 66,000.
- \$3 million to expand the Career Development Success Program which gives incentive payments to school districts and charter schools for high school students completing workforce programs.
- \$3 million increase for charter school facilities assistance, for a total of \$28 million.
- Continuation of \$20.5 million for Hepatitis C treatment in the Department of Corrections.
- \$23 million increase for provider rates including a 1% across the board increase and some targeted increases.
- \$77 million reduction in the Budget Stabilization Factor (an additional \$23 million reduction was included in the School Finance Act for a total \$100 million reduction).
- \$120.8 million increase for higher education institutions in order to hold tuition flat (MSU Denver was given the ability to increase tuition by up to 3%). The funding was allocated through a 13% increase for each higher education institution.
- \$175 million for state funded full day Kindergarten.
- \$300 million for transportation funding including:
 - \$150 million General Fund transfers under SB18-001.
 - \$50 million for certificates of participation interest payments from SB17-267.
 - \$100 million to the Highway Users Tax Fund.

Transportation

Over the last two years, the General Assembly passed SB17-267 and SB18-001 to address, in part, the state's transportation funding problem. With \$100 million of investment on top of the amount required under those two Acts, much of this session's transportation legislation focused on other issues.

In the Budget –

- \$300 million for transportation funding including:
 - \$150 million General Fund transfers under SB18-001.

- \$50 million for certificates of participation interest payments from SB17-267.
- \$100 million to the Highway Users Tax Fund ([SB 19-262](#))

- **[SB 19- 263](#) by Senators Zenzinger, Rankin and Representatives Hansen, Gray: Delay Referral Of TRAns Transportation Revenue Anticipation Notes Ballot Issue To 2020.** SB 18-263 Delays the requirement that the ballot issue be submitted for one year by requiring it to be submitted at the November 2020 general election rather than the November 2019 statewide election. The move to 2020 allow for the second tranche of SB 17-276 COPs to move forward with estimated value of \$500 million during the 2019 construction season funding projects like I-25 Gap, West Bound 1-70 and I-25 North and statewide paying project. The bill also extends from 20 to 21 years the period for which annual \$50 million transfers from the general fund to the state highway fund are required.

- **[SB19-090](#) by Senator Scott and Representative Gray: Peer-to-peer Motor Vehicle Sharing Program**
Peer to peer vehicle sharing allows car owners to rent out their car by the hour when they are not using it through various app platforms such as Maven or Turo. Supported by industry, SB19-090 sets up a regulatory framework for peer-to-peer car sharing programs, including establishing insurance provisions for car owners and insurance companies. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **[SB19-053](#) by Senator Cooke: California Motor Vehicle Emissions Standards**
SB19-053 would have prohibited the Air Quality Control Commission, the body appointed by the governor to regulate air quality, from adopting emissions standards that are stricter than federal standards. **The bill was postponed indefinitely on February 14, 2019.**
- **[HB19-1199](#) by Representative Valdez A and Senators Pettersen and Winter: Colorado Clean Pass Act**
The bill would have allowed electric vehicle owners to pay a fee during vehicle registration to access high occupancy vehicle lanes without regard to occupancy requirements and to pay a reduced toll on express toll lanes or high occupancy toll lanes. The bill also would have allowed plug-in electric vehicles to qualify for free or reduced access to express lanes. The bill would have ended the current HOV lane access stickers, which are limited to 2,000 and have not been updated since the program was established more than a decade ago. **The bill was postponed indefinitely on April 15, 2019.**
- **[SB19-239](#) by Senators Winter and Bridges and Representatives Gray and Hansen: Address Impacts of Transportation Changes**
The bill will create a stakeholder group under the Department of Transportation to examine the economic and environmental impacts that new technologies such as ridesharing and electric vehicles have on the transportation system. The stakeholder group will include road contractors, employees from state agencies, representatives from transportation network companies, the automobile industry, peer-to-peer car sharing, public transit, the trucking industry, and advocacy groups. The final report will be presented during the SMART Act hearings

during the 2020 interim. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1159](#) by Representatives Jaquez Lewis and Gray and Senators Danielson: Modify Innovative Motor Vehicle Tax Credits**

The bill extends the current income tax credit for electric vehicles, plug in hybrids, and hydrogen vehicles. In 2020 the credit for passenger electric vehicles will be \$4,000, for 2021 and 2022 the credit is \$2,500 for a purchase and \$1500 for a lease, and from FY2023 to FY2025 the credit is \$2,000 for a purchase and \$1500 for a lease. Additionally, vehicles that are long-term leased by a Transportation Network Company will receive the value of the "purchase" credit. The tax credit for compressed natural gas and propane vehicles was not extended. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-236](#) by Senators Garcia and Fenberg: Sunset Public Utilities Commission**

The continuation of the Public Utilities Commission (PUC) through 2026 implements recommendations from the Department of Regulatory Agencies sunset report as well as amendments made by the legislature. Amendments passed in the Senate will require the PUC to evaluate the cost of CO2 emissions during their reviews of electric resource plans. The sunset bill also requires investor owned utilities to file distribution system plans to the PUC for review. One proposed change to separate the PUC as a Type II division did not end up in the final bill, but those conversations about how to restructure the PUC will continue. In committee, the requirement for fingerprint background check for Transportation Network Companies was removed. In the last week of session, the sunset was amended to clarify that retail energy users can generate, store, and export energy to the grid. The Commission will be required to investigate the costs and benefits of Regional Transmission Organizations. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1221](#) by Representatives Coleman and Valdez and Senators Bridges and Pettersen: Regulation of Electric Scooters**

The bill will allow electric scooters, which began to show up in cities all around the US over the past year, to ride on the roadways. Scooters that can travel up to 20 miles per hour, currently classified as a toy vehicle under statutes, had been restricted to sidewalks, which can endanger pedestrians. HB 1221 will put electric scooters in the same category as electric assisted bicycles. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Workforce Development

- **[SB19-196](#) Colorado Quality Apprenticeship Training Act of 2019**

As introduced, the bill would have made significant changes to the way the state procures public infrastructure projects including roads and state buildings, including buildings on college campuses. As the bill went through the process, the bill was rewritten to establish a prevailing wage program in the state. It will also require that contractors certify that subcontractors participate in registered apprenticeship programs. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Full Day Kindergarten and other High Profile Bills

- **[HB19-1262](#) by Representatives Wilson and McLachlan and Senators Bridges and Fields: State Funding for Full Day Kindergarten**
The bill provides funding for full day kindergarten to school districts that choose to offer it. The bill funds the kindergarten factor at 1.0 through the School Finance Formula, up from the current level of 0.58. Funding full day kindergarten through the state will free up resources to provide more preschool slots, give districts more flexibility in their budgets, and save parents who pay kindergarten tuition up to \$500 per month. This legislation was Governor Polis's top priority, and House Sponsor Representative Wilson was pleased to see the bill pass after running it unsuccessfully in the previous five legislative sessions. The funding will be in place for the upcoming 2019-2020 school year. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **[HB19-1239](#) by Representatives Tipper and Caraveo and Senators Priola and Winter: Census Outreach Grant Program**
With the census coming up in 2020 and a potential immigration status question on the census questionnaire, concern was expressed that an undercount could occur in Colorado, which could negatively impact the amount of federal funding that the state will receive for the next decade. The bill creates a \$6 million Census Outreach Grant Program. The grants will assist local governments, non-profits, intergovernmental agencies and other parties in providing education and census outreach to difficult-to-reach populations. **HB19-1239 passed the legislature and is awaiting Governor Polis's signature.**
- **[SB19-139](#) by Senators Coram and Moreno and Representatives Galindo and Singer: More Colorado Road and Community Safety Act Offices**
The bill requires 10 state Division of Motor Vehicle offices to offer drivers licenses and ID cards to immigrants who cannot demonstrate legal presence. There are currently only 3 offices that can provide the drivers licenses or ID cards and 1 office that provides renewals. Many people have to drive long distances to reach one of these 4 offices that are mostly clustered in the Front Range. New offices will be added in Alamosa, Durango, Glenwood Springs, Lamar, Montrose, Pueblo, and Sterling. **SB19-139 passed the legislature and is awaiting Governor Polis's signature.**
- **[HB19-1177](#) by Representatives Sullivan and Garnett and Senators Court and Pettersen: Extreme Risk Protection Order**
The so-called "Red Flag" bill failed last year, and when it returned this session it was one of the top priorities of Democrats as well as one of the more controversial bills of the session. The bill was very personal for one of the sponsors, Representative Sullivan, whose son was murdered in the 2012 Aurora theater shooting. The bill creates an extreme risk protection order to temporarily remove firearms in cases when a family member or law enforcement believes that a person is showing signs that they could harm themselves or others. If an initial ERPO to remove

firearms is issued by a judge, then a second hearing will be held within 14 days to determine if the order should be extended. **The bill was signed by Governor Polis on April 12, 2019.**

Employer/Employee Bills

Many bills brought by employee advocates in previous sessions stood a better chance of passage during this legislative session due to Democratic control of the legislature and Governor's office. The business community, including chambers of commerce and small and independent business advocates, engaged in detailed conversations with legislative sponsors, leadership, and committees of reference throughout the session to provide input on bills, aiming to ensure that the specifics could be set up and implemented to meet the goals of legislators without crippling business.

Business groups supported equal pay after it was amended, having family and medical leave benefits available, ensuring employees are paid for their work, a living wage for employees, and a safe and secure retirement. However, the details in how the bills would be implemented raised concerns for business owners and business advocacy groups. For instance, business advocates pointed out that removing a state preemption on a local government setting the minimum wage could result in a patchwork of different minimum wages in densely populated areas and implementing a statewide paid family leave program could cause many businesses with more generous plans to drop their benefits. The most consequential bills in this category of bills were amended to ease concerns from the business community.

- **[HB19-1025](#) by Representatives Melton and Herod and Senators Foote and Rodriguez: Limits on Job Applicant Criminal History Inquiries**
HB19-1025 is similar to other 'ban the box' legislation that has been brought in previous years. The bill prohibits employers from including in a job advertisement or on the job application that people with a criminal history cannot apply, as well as asking about criminal history in the first application. Employers would still retain the ability to run a background check on an applicant at any time in the hiring process. Businesses like banks with a federal waiver retained their exemption. Employers with 10 or less employees will have a longer timeframe to comply with the bill. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **[HB19-1210](#) by Representatives Melton and Galindo and Senators Danielson and Moreno: Local Government Minimum Wage**
HB19-1210 allows local governments, including cities, towns, and counties, to set the minimum wage for their jurisdiction at a level above the state minimum wage. Currently state law prevents local governments from setting a minimum wage different than the state wage which is set in the constitution. In 2020, the state minimum wage will be \$12 per hour and each year after it will be adjusted by inflation. Amendments were added in the Senate to limit jurisdictions to one wage, cap at 10% the number of jurisdictions that can raise the rate before coming back to the General Assembly for additional approval, establish that the wages to be paid to employees who travel between jurisdictions are for the jurisdiction that the business is

located in, limit minimum wage increases to 15% or \$1.75 per year, require stakeholder engagement before a jurisdiction raises the minimum wage, and continue the delineation of wages for tipped employees versus hourly employees. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **SB19-085 by Senators Danielson and Pettersen and Representatives Buckner and Gonzales-Gutierrez: Equal Pay for Equal Work Act**
SB19-085 prohibits employers from having different wages based on sex and asking for wage history during the hiring process. It also allows for wage discrimination cases to be brought in civil court, with employees able to seek up to 3 years in back pay. The bill was amended to clarify that there may be wage differences based on location, education, training level, and required travel. The implementation date is January 1, 2021. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **SB19-188 by Senators Winter and Williams and Representatives Gray and Duran: Family and Medical Leave Insurance Act (FAMLI)**
As originally written, the bill would have allowed private and public employees to receive partial wage replacement for up to 16 weeks of medical leave. The program would have been funded by premiums paid equally by employers and employees in the state. Facing fierce opposition from small and large businesses, companies that already offer generous leave, and local governments throughout the state, SB19-188 was delayed on the Senate floor and eventually rewritten. SB19-188 was turned into an implementation study that will review the effects and costs and benefits of a statewide paid family and medical leaves insurance program. The bill now directs the Colorado Department of Labor and Employment to contract with a third party to conduct a study about designing and implementing a paid family leave program. It also creates a task force to make recommendations related to implementation. Analysis will be conducted over the 2019 interim and the Task Force will report back to the General Assembly by January 8, 2020. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **HB19-1245 by Representative Weissman and Senators Gonzales and Foote: Affordable Housing Funding from Vendor Fee Changes**
As introduced, the bill would have changed the vendor fee and allocated the additional General Fund monies the state would keep to affordable housing. The vendor fee is an amount of sales tax collected by retailers that they are allowed to retain to account for the administrative burden of collecting and remitting sales taxes in Colorado's many taxing districts. The bill changes the vendor fee from 3.33% to 4% but caps the total vendor fee at \$1,000 per month, per retailer, regardless of how much sales tax the vendor collects. This change to the vendor fee is estimated to result in \$23.1 million additional General Fund money for the state in FY 2019-20 and \$47.9 million in FY 2020-21. After moving through the House with opposition by Republicans and some Democrats, the bill was amended in the Senate to allow funding to also be dedicated to a priority of the Governor's, HB19-1168, State Reinsurance Program. **The bill passed the legislature and is awaiting Governor Polis's signature.**
- **HB19-1267 by Representatives Singer and Froelich and Senators Danielson and Rodriguez: Penalties for Failure to Pay Wages**

Under current law, wage theft is a misdemeanor. HB19-1267 reclassifies wage theft as a theft crime so that an offense can range from a petty offense to a felony depending on the severity of the crime. The definitions of employer and employee mirror language in the federal Fair Labor Standards Act. Under the bill, withholding or failing to pay wages in amounts over \$2,000 will be considered a felony crime. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1289](#) by Representative Weissman and Senators Foote and Gonzales: Consumer Protection Act**

The bill, driven by Colorado's Attorney General, expands the Colorado Consumer Protection Act by adding "recklessly" as a way to violate prohibitions on deceptive trade practices. Current statute requires that the violation be done so "knowingly." The bill also increases penalties for violations from \$2,000 per violation to \$20,000 and to \$50,000 per violation for offenses against an elderly person. As introduced, the business community had several concerns with the bill but were able to move to neutral with amendments, which included a definition of the term "recklessly." Language was added in the Senate that makes a defendant who brings a frivolous case or a case without legal basis liable for resulting costs. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-173](#) by Senators Donovan and Pettersen and Representatives Kraft-Tharp and Hansen: Colorado Secure Savings Plan Board**

For the last three years, bills to create a retirement savings plan for private sector employees whose employers do not offer a retirement plan failed to pass the legislature. This year, SB19-173 was introduced to create a board to study several policy options to increase retirement savings in the state. The Board will include the Colorado State Treasurer and 8 additional members appointed by the Governor. No legislators will be on the board, which will study the feasibility of creating a Secure Savings Plan, a small business marketplace plan, the effects of additional financial education and the negative effects of taking no actions to increase retirement savings among Colorado residents. As the bill went through the process, the high cost of \$800,000 became a point of debate. Opponents in the legislature argued that there have been many other studies and interim committees done with a far lower cost. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-233](#) by Senator Lee and Representative Snyder: Holding Company Income Tax Combined Report**

The bill was brought by the Department of Revenue to provide clarity in light of a recent court ruling that excluded holding companies with no property or payroll from combined report requirements. The bill seeks to clarify that only corporations with property and payroll located outside of the United States are excluded from combined reporting requirements so that all domestic holding companies are included in combined income tax returns. The Governor's Office lobbied in support of the bill for fear of loss of revenue to the state's General Fund. Members from the business community voiced concerns that the bill would have unintended consequences. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-237](#) by Senator Rodriguez and Representative Roberts: Consumer Protection Act Damages**

The bill amends the Consumer Protection Act so that individual actions may result in damages of \$500 per violation and class action lawsuits may be filed under the Colorado Consumer Protection Act. **The bill died on the calendar. It passed the Senate but was laid over for action only in the House Finance Committee.**

Health Care

This year the legislature identified lowering health care costs as a key priority. Policies introduced aimed to lower hospital, insurance, and prescription drug costs and protect consumers from balance billing. Governor Polis ran his campaign in no small part on lowering the cost of health care for Colorado residents. In April, he issued a [Roadmap to Saving Coloradans Money On Health Care](#). High priority bills for Governor Polis this session included the State Reinsurance Program and Canadian Prescription Drug Importation. The plan gives a preview for additional health care cost reduction measures likely to be pursued by the administration over the next 3 years.

- **[HB19-1077](#) by Representative Roberts and Senators Tate and Pettersen: Pharmacist Dispense Drug Without Prescription in Emergency**

The bill will allow a pharmacist to supply a patient with a prescription for a chronic or maintenance drug in cases of emergency when a patient is out of their supply of medication. Legislators pointed to the importance of this policy for patient like Type I diabetics who must take insulin regularly to stay alive. The bill limits the emergency prescription to once a year and a patient must already be receiving the medication for the pharmacist to give the emergency supply. **Governor Polis signed the bill on March 21, 2019.**

- **[HB19-1176](#) by Representative Sirota and Jaquez Lewis and Senator Foote: Health Care Cost Savings Act of 2019**

The legislature approved multiple interim committees related to healthcare including HB 1176. HB 1176 creates a taskforce to specifically study and compare three methods of financing healthcare in Colorado. The bill originally included a provision to study taxation of sugary drinks, marijuana, tobacco, and alcohol as means to fund health care but that provision was removed through an amendment on the House Floor. The taskforce will consist of 17 members including legislators, gubernatorial appointees, and executive branch officials. The taskforce is directed to deliver a report to the General Assembly by September 1, 2021. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1312](#) by Representative Mullica and Senators Gonzales and Priola: School Immunization Requirements**

The bill requires the Colorado Department of Public Health and Environment (CDPHE) to develop standard forms to submit medical and personal or religious exemptions to school immunization requirements. The bill also increases education around immunizations that will be placed at health care facilities and replaces the current immunization tracking system to make it more effective. Hearings on the immunization bill took more hours than any other legislation this session, with hundreds of witnesses signing up to testify in the House and Senate. With indications that the Governor may veto the bill and the deadline to adjourn looming, the

Senate allowed the bill to die on the clock. **The bill died on the calendar. It passed the Senate Finance Committee, but never made it to a floor vote.**

- **[SB19-079](#) by Senators Todd and Priola and Representatives Esgar and Landgraf: Electronic Prescribing Controlled Substances**

The bill requires health care providers including podiatrists, dentists, physicians, physician assistants, advanced practice nurses, and optometrists, to prescribe Schedule II, III, or IV controlled substances by electronic prescription. The bill contains certain exceptions, including one for a prescriber writing 24 or fewer prescriptions for controlled substances a year, and extended the time frame for rural providers to comply. **Governor Polis signed the bill on April 8, 2019.**

- **[SB19-217](#) by Senators Foote and Tate and Representatives Snyder and Bockenfeld: Healthcare Provider Liens**

The bill creates a health care provider lien to allow providers to be paid for services provided to a person injured by the negligence of another person. The lien is placed on the money from claims received by the injured person. Certain disclosures are required before a lien can be placed. **The bill died on the calendar because the Senate did not concur with House amendments before adjournment on the last day.**

- **[SB19-234](#) by Senators Rodriguez and Foote and Representative Weissman: Sunset Professional Review Committees**

The bill continues peer review committees until 2030. There are currently 236 professional review boards in the state. These exist to evaluate conduct of physicians, PAs, and nurses. The bill had support from health care players, but resistance came from the trial lawyers. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Limitation on Debt Recovery

This session several bills were introduced to limit the ability of judgement creditors to recover debts for themselves and clients. Both [HB19-1089: Exemption from Garnishment for Medical Debt](#) and [HB19-1145: Primary Residence Exempt Liens for Medical Debt](#), were born out of a 9News investigation on medical billing in Colorado.

- **[HB19-1089](#) by Representatives Tipper and Valdez and Senators Pettersen and Moreno: Exemption from Garnishment for Medical Debt and [HB19-1145](#) by Representative Tipper and Jaquez Lewis: Primary Residence Exempt Liens for Medical Debt**

HB19-1089 prohibited wage garnishment on medical debts and HB19-1145 prohibited the placement of liens on primary residences to pay for medical debts. Both bills were killed in the House Finance Committee over constitutional concerns of treating one type of debt different than others and a concern that these two proposals didn't address the primary issue which was out of network medical billing. **HB19-1089 was postponed indefinitely on February 4, 2019 in the House Finance Committee and HB19-1145 was postponed indefinitely on March 11, 2019 in the House Finance Committee.**

- **[HB19-1189](#) by Representatives Gray and Valdez A and Senators Bridges and Fields: Wage Garnishment Reform**

Another proposal brought by the Colorado Center on Law and Policy substantially overhauled the wage garnishment law in Colorado. The bill as introduced would have severely limited the ability of judgement creditors to recover debts determined owed via court order. The Associated Collections Agencies of Colorado, Wyoming, and New Mexico, along with the Colorado Creditors Bar, the Independent Bankers of Colorado, and the Colorado Bankers Association worked on extensive amendments. The final negotiated amendments included the following provisions:

- Wages subject to garnishment are now 20% (current law is 25%, the introduced bill was 15%).
- The bill now reflects 40x minimum wage multiplier (current law is 30x, the introduced bill was 50x).
- Revised “The Notice of Garnishment” requirements so the Notice is not case specific.
- Removed language from the introduced bill that prohibited garnishment on individuals whose principal place of work is not in Colorado even if all their assets were (for example flight attendants, pilots, etc).
- Revised hardship exemption that required the court to consider income of the whole family (not just the debtor) and added a list of the debtor’s expenses the court shall consider.
- The effective date was moved so it applies to garnishments in place after October 1, 2020.

Climate Change/Energy

This year with Democrat control of both chambers and a Governor who has vocalized ambitious goals for carbon emissions reductions, the legislature examined ways to reduce emissions. Legislative proposals included codifying goals set by Xcel Energy, giving local governments more control over oil and gas production, and setting statewide goals in statute for carbon emissions reductions.

- **[SB19-181](#) by Senators Fenberg and Foote and Representatives Becker and Caraveo: Protect Public Welfare Oil and Gas Operations**

The conflict between local governments and the oil and gas industry has a long history on the Front Range with some communities attempting to place more strict regulations on new oil and gas operations, but facing limitations due to a state preemption. SB 181 made sweeping changes to the way oil and gas is regulated at the state and local levels. First, the bill changed the mission and makeup of the Colorado Oil and Gas Conservation Commission from “fostering” to “regulating” oil and gas production while protecting public health, welfare, and safety as well as wildlife resources. The bill also allows local governments the ability to regulate oil and gas within their jurisdiction. The bill was amended near the end of the legislative process to qualify that regulations at the local level shall be necessary and reasonable. **The bill was signed in to law on April 16, 2019.**

- **[HB19-1261](#) by Representatives Becker and Jackson and Senators Winter and Williams: Climate Action Plan to Reduce Pollution**

HB19-1261 sets statewide emissions reduction goals and adds considerations for the Air Quality Control Commission to consider policies to reduce greenhouse gas emissions. It would set a goal to see a reduction of 2005 level GHG emissions by 26% in 2025, 50% in 2030, and 90% in 2050. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **HB19-1313 by Representative Becker and Hansen and Senators Winter and Priola: Electric Utility Plans to Further Reduce Carbon**

This legislation requires Xcel Energy to submit a clean energy plan in the next round of resource acquisition planning to identify resources and infrastructure necessary to meet the CO2 emissions reduction goals. Utilities would be allowed to recover costs of building new energy generating resources. IREA pushed to add language that would direct the PUC to enter into an RTO. **The bill died on the calendar as time ran out during the legislative session.** However, in a last minute change, the majority of HB19-1313 was included into the PUC Sunset bill, SB19-236, causing consternation among some legislators.

- **SB19-077 by Senators Priola and Williams and Representative Hansen: Electric Motor Vehicles Public Utility Services**

The bill would allow public utilities to provide electric vehicle charging services and recover costs for infrastructure investments. Utilities would have to apply to the Public Utilities Commission (PUC) for approval to provide the charging stations, and can include performance-based incentives in the proposal. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **HB19-1037 by Representatives Hansen and Esgar and Senator Donovan: Colorado Energy Impact Assistance Act**

The bill would allow electric utilities to apply to the PUC to issue energy impact assistance bonds when retiring power plants early. The revenue generated by the bonds would provide workforce transition assistance to the employees of the retired plant and the payments on bonds would be seen as a separate charge on utility payers' bills. While this type of bonding occurs in other states, using the proceeds for worker transition assistance is unique. **The bill was postponed indefinitely in the Senate Transportation and Energy Committee on April 25, 2019.**

Telecommunications

After big investments in rural broadband last year, the conversation shifted from rural broadband funding to other policy topics.

- **SB19-078 by Senators Donovan and Bridges and Representative Herod: Open Internet Customer Protections in Colorado**

A similar bill was introduced last session in response to Federal Communications Commission action but did not pass. A key difference in the approach taken this session is that SB19-078 disqualifies internet service providers from state funded broadband deployment grants if they violate net neutrality including blocking content, prioritizing content, or regulating internet

speeds based on content. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-107](#) by Senator Donovan and Representative Roberts: Broadband Infrastructure Installation**

As amended after introduction, the bill updates electric utilities easement laws to allow an internet service provider to install broadband on existing infrastructure and for electric utilities to charge a fee for the attachment to the pole. Many in the cable and telecommunications industry testified in favor of the rewrite, while rural electric cooperatives and homebuilders initially were opposed. Further amendments eased concerns, and the legislation was approved by the Senate and House. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-012](#) by Senator Court and Representative Melton: Use of Mobile Electronic Devices While Driving**

Colorado law already prohibits people younger than 18 from using mobile devices while a vehicle is in motion, and this legislation would have expanded this prohibition to adults unless the use is through a handsfree device. The bill would have established fines of \$50 for the first violation, \$150 for the second, and \$350 for the third. **The bill was postponed indefinitely on April 16, 2019.**

Wayfair/Online Sales Tax

The Supreme Court case *South Dakota v. Wayfair* eliminated the physical presence requirement, which required retailers to be located in the state for the state and jurisdictions to collect sales tax. Under this new ruling, states could begin to collect sales taxes on online sales. This change spurred Colorado Department of Revenue regulations to comply with the new sales tax regime. One component that had to be addressed was the shift from location-based sourcing, which collects taxes based on the location of the retailer, to destination-based sourcing, which is collection of taxes based on the location of the customer. Certain requirements under *Wayfair* are more complicated to address in Colorado because of the state's many home rule municipalities and different taxing districts. Several bills were brought this session to codify DOR regulations and the shift under *Wayfair* to destination-based tax calculation.

- **[SB19-130](#) by Senators Gardner and Representatives Rich and Larson: Sales Tax Administration**

The bill would have exempted certain out of state businesses from collecting sales tax if they have limited transactions or sales in the state, created a single filing form for tax returns, required out of state retailers to collect taxes based on the customer's address, and required the Department of Revenue to develop software to easily calculate the appropriate sales taxes owed. Home rule cities could opt into the system. Under SB 130, in-state retailers would be able to continue collecting taxes under the current regime of location-based sourcing. **SB 130 was postponed indefinitely on February 12, 2019.**

- **[SB19-131](#) by Senators Woodward and Representatives Van Winkle and Arndt: Exempt Certain Businesses from Destination Sourcing Rule**

The bill had a smaller scope than SB 130, focusing on an exemption for small Colorado based retailers. SB 131 would have allowed in state retailers who bring in less than \$100,000 in revenue to collect taxes based on where the retailer is located, rather than using destination

sourcing to calculate taxes based on where the service is provided. **SB 131 was postponed indefinitely on February 19, 2019.**

- **[HB19-1240](#) by Representatives Kraft-Tharp and Van Winkle and Senators Court and Tate: Sales and Use Tax Administration**

The bill will codify the destination-based rule in statute for in state retailers and out of state retailers with sales of more than \$100,000. The bill contains exceptions for small sellers to comply with destination-based sourcing until a state provided GIS system to easily calculate tax rates is up and running. The bill will also require marketplace facilitators to collect and remit sales taxes for the sellers who post services on the marketplace facilitator's platform. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-006](#) by Senator Williams and Representatives Kraft-Tharp and Van Winkle: Electronic Sales and Use Tax Simplification System**

The bill came out of the Sales and Use Tax Simplification Task Force. It directs the Department of Revenue and the Office of Information Technology to issue an RFP for the creation of an electronic sales and use tax simplification system that has an address locator to determine applicable tax rates, single forms for tax license applications and remittance, a single point of remittance, a taxability matrix, and has auditing capability. **The bill was signed by Governor Polis on April 12, 2019.**

Environmental Sustainability

Representing cities and towns, the Colorado Municipal League expressed a desire to run legislation and overturn the statewide preemption on banning single use plastics. Although they were unsuccessful in that effort, the conversation about single use plastics took hold at the Capitol and several bills were brought that aimed to reduce or prohibit the use of certain materials.

- **[HB19-1143](#) by Representative Lontine and Senators Fields and Priola: Distribute Plastic Straws Upon Request Only**

The bill would have prohibited restaurants from providing a plastic straw unless a customer asked for one. The bill was an attempt by the Colorado Restaurant Association to preempt a potential statewide ban on plastic straws. However, it drew opposition from the environmental community because as originally drafted it would not allow local governments to establish a stricter rule, it contained many exemptions, and it did not have an enforcement mechanism. Due to unfriendly amendments added in committee, **the bill was postponed indefinitely on February 25, 2019 at the request of the bill sponsor.**

- **[SB19-034](#) by Senator Moreno and Representative Arndt: Local Government Recycling Standards for Food Containers**

The bill would have eliminated the state preemption on local governments setting standards for to-go polystyrene (Styrofoam) food containers. **The bill was postponed indefinitely in the Senate Local Government Committee on April 9, 2019 at the sponsors request.**

- **[SB19-243](#) by Senators Moreno and Foote and Representatives Cutter and Singer: Prohibit Food Establishments' Use of Polystyrene**

The bill would have prohibited restaurants from using polystyrene to-go containers after January 1, 2024. SB19-243 attempted to address concerns of the SB19-034 opponents by keeping a statewide standard instead of letting local communities decide if they wanted to adopt polystyrene bans. **The bill died on the calendar when it failed to pass the Senate floor by midnight on May 1.**

- **[SB19-192](#) by Senators Winter and Priola and Representatives Jackson and Cutter: Front Range Waste Diversion Enterprise Grant Program**

SB19-192 creates a TABOR exempt enterprise to administer a grant program to increase waste diversion. The program is focused on 13 Front Range counties and is funded by fees on loads delivered to landfills. The grants will be administered by the Enterprise with the goal of 32% diversion by 2021 and 51% diversion by 2036. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Property Rights and Conservation Easements

Last year after a turbulent sunset process, HB18-1291 extended the Conservation Easement Oversight Commission (CEOC) and the Division of Conservation for one year. To ensure the program continued, a bill had to be brought this session to reform and reauthorize the program.

- **[HB19-1264](#) by Representatives Roberts and Wilson and Senator Winter: Conservation Easement Tax Credit Modifications**

The bill extends the CEOC until 2026. The bill convenes a working group to make recommendations to the General Assembly for the 2020 legislative session on how to provide retroactive tax credits to persons whose Conservation Easement Tax Credits were disallowed. The bill also will require disclosure that conservation easements are granted in perpetuity, allow termination of an easement if the easement holder pays the owner for the land (unless a tax credit has been granted), and grant public access to COMaP. COMaP is a software program that shows the location of conservation easements. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1078](#) by Representative Lewis and Senators Garcia and Marble: Landowner Consent Listing National Register**

Another bill related to private land rights, HB19-1078 requires any action to approve a Multiple Property Documentation Form or to request an approval of an executed version of this form by the keeper of the National Register to obtain consent and signature of the owner of the property described in the form. This consent and signature is obtained by the applicant and reviewed by the Colorado Historical Society/Office Archaeology & Historic Preservation. **The bill was signed by Governor Polis on April 12, 2019.**

Health Care Transparency and Costs

Hospital Transparency

- **[HB19-1001](#) by Representative Kennedy: Hospital Transparency Measures**

HB 1001 will require the Department of Health Care Policy and Financing (HCPF) to create an annual report about hospitals' uncompensated costs and expenditures. Hospitals will be required to report financial statements, information about unreimbursed care, operating expenses, gross patient revenue and more. HCPF will use hospital information in addition to publicly available data to create the report, which will be submitted to the Governor and appropriate committees of the General Assembly by January 15, 2020. **Governor Polis signed the bill on March 28, 2019.**

- **[HB19-1320](#) by Representatives Kennedy and Lontine: Hospital Community Benefit Accountability**

HB 1320 initially would have created Hospital Community Accountability Boards in each of the 7 health care regions of the state and required not for profit hospitals to collaborate with the Board on an annual community health needs assessment and community benefit implementation plan. The bill was amended to replace the community boards with an annual public meeting and align reporting requirements with federal requirements, with the addition of a narrative on community benefit. Language was also added to allow Medicare payment shortfalls and bad debt to be included in the community benefit category. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1010](#) by Representatives Mullica and Landgraf and Senators Gardner and Pettersen: FSED Licensure**

After a similar bill failed last year, this year a bill limited to licensing free standing emergency departments came back. The bill creates a license for FSEDs and contains an exemption for existing rural freestanding emergency departments to continue to operate under the community clinic license. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Pharmaceuticals

- **[HB19-1131](#) by Representative Jaquez Lewis and Senator Winter: Prescription Drug Cost Education**

The bill requires drug company representatives to provide in writing the wholesale acquisition cost of a drug during marketing meetings with prescribers, including meetings in person or by phone. **The bill passed the legislature and is awaiting Governor Polis's signature.** The bill went to conference committee to resolve differences between the two chambers bills. Here is the: [Conference Committee Report](#)

- **[HB19-1296](#) by Representative Jackson and Jaquez Lewis and Senators Ginal and Donovan: Prescription Drug Cost Reduction Measures**

The bill requires reporting on prescription drug costs in order to promote cost reduction. Health insurers and PBMs are required to disclose rebates they have received from manufacturers. Pharmaceutical manufacturers are required to give 30 days advance notice of price increases at a certain threshold. Nonprofit organizations are also required to report receiving anything worth more than \$1,000 from a pharmaceutical manufacturer, PBM or health insurer. The bill was amended in committee to require that 100% of drug maker rebates be passed on to consumers at the point of sale. **The bill passed the House Health & Insurance Committee and the Finance**

Committee but was not scheduled for Appropriations Committee and therefore died on the calendar. The sponsors pledged to bring the issue back next session.

- **[SB19-005](#) by Senators Ginal and Rodriguez and Representative Jaquez Lewis: Import Prescription Drugs from Canada**

SB 005 requires the Department of Health Care Policy and Financing to pursue a waiver from the US Department of Health and Human Services to allow Colorado to import prescription drugs from Canada. A similar bill last session failed in the Senate. The bill was amended in the House to remove funding and staffing for implementation, so legislators would have to take separate action through legislation to implement an importation program. This bill was a top priority for Governor Polis' Administration. **The bill passed the legislature after the Senate concurred with House amendments. It is awaiting Governor Polis's signature.**

- **[HB19-1216](#) by Representatives Roberts and Senators Donovan and Priola: Reduce Insulin Prices**

The bill caps what an insured person will pay for an insulin prescription to \$100 per month's supply. **The bill passed the legislature and is awaiting Governor Polis's signature.**

Health Care Cost Containment

- **Out of Network Bills:** Aside from the reinsurance program, a focus on out of network or "balance billing" was one of the most prevalent health care conversations this session. With bipartisan support to prevent situations when patients are faced with covering costs for services delivered by an out of network provider, it seemed likely that [HB19-1174](#), Out-of-network Health Care Services or [SB19-134](#), Out-of-network Health Care Disclosures and Charges would pass. Current law requires that patients with health insurance plans regulated under Colorado law be held harmless for out of network charges when they seek emergency care, but the law on the books hasn't protected patients from this practice. The two bills mandated disclosure to patients and set reimbursement rates for out of network charges for providers and facilities for services provided during emergencies or when out of network care is provided at an in-network facility. SB19-134 included a more generous rate for physicians. After many delays on action, **SB19-134 was postponed indefinitely on April 25th, 2019.** HB 1174 moved forward but the benchmark reimbursement rates for providers remained contentious to the end. Physicians argued that the benchmarks in the legislation would reduce their negotiating leverage with health insurers and lead to fewer providers. **HB19-1174 passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-201](#) by Senators Pettersen and Tate and Representatives Tipper and McKean: Open Discussions About Adverse Health Care Incidents**

The bill creates a voluntary process for health care providers to have a confidential conversation with a patient and/or patient's family after they were physically injured or in cases when a patient died. During these discussions, health care providers can speak honestly without fear that the information they share will be used against them in court. In some cases, compensation would be offered, thereby providing an alternative to the tort system. The bill had support from health care providers and trial lawyers. Health facilities were not included in the legislation. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1168](#) by Representative McCluskie and Rich and Senators Donovan and Rankin: State Innovation Waiver Reinsurance Program**

This bill allows the state to pursue a federal waiver in order to create a state reinsurance program to help defray the insurance costs of high cost patients. Reinsurance works like an insurance program for insurance companies. For claims above a certain level, called the attachment point, funds from the reinsurance program help pay a portion of claims. The bill as introduced would have given the Commissioner of Insurance authority to set the rate of payment to facilities and physicians for charges over \$20,000. The bill was amended when the Administration received indications that the US Department of Health and Human Services would likely not approve a waiver that relied on rate setting.

The second version of the bill included a fee of up to \$150 million a year for two years and up to \$500 million over five years from hospitals to fund the program. This funding approach was later found to put the CHASE (hospital provider fee) in jeopardy, and the bill's funding source was then shifted to a combination of a fee on hospitals (\$40 million), \$55 million general fund freed up by changes to the vendor fee (reflected in HB 1245), \$30 million from the Health Insurance Tax and \$10 million General Fund from growth in the Insurance Premium Tax. If approved, an increase in the tobacco tax would have also contributed to the program, but that legislation failed.

The legislation was originally structured to reduce premiums in mountain communities and the Western Slope by up to 30%. The final revision resulted in a two-year reinsurance program that is targeting 15-20% reduction in premiums in high cost areas, and 5-10% in the metro area. The Commissioner of Insurance indicated that savings should be reflected in January 2020 health insurance premiums. **The bill passed the legislature on the final day of session and is awaiting Governor Polis's signature.**

Opioid/Substance Use Disorder

Opioid and substance abuse have been a growing focus of public health officials and state legislators. Following a committee that met over the interim, five bills considered by the legislature this year included:

- **[HB19-1009](#) by Representatives Kennedy and Singer and Senators Priola and Pettersen: Substance Use Disorders Recovery**

The bill expands the housing voucher program to include individuals with substance use disorder. It also requires recovery residences operating in Colorado to be licensed by the state health department and creates the opioid crisis recovery fund for money the state receives as settlement or damages from opioid related litigation. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[HB19-1287](#) by Representatives Esgar and Wilson and Senators Pettersen and Priola: Treatment for Opioids and Substance Use Disorders**

The bill directs the Department of Human Services to implement a web based behavioral health capacity tracking system to track available treatment capacity at facilities and programs for medication assisted treatment (MAT) and detox. It also directs the Department to implement a care navigation system to assist individuals in obtaining access to treatment for substance use disorder and creates a grant program to provide treatment services in rural and frontier communities, prioritizing areas of the state that are currently unserved. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-008](#) by Senators Priola and Pettersen and Representatives Kennedy and Singer: Criminal Justice Substance Use Disorders**

The bill requires the Department of Corrections to allow MAT to be provided to persons who were receiving treatment prior to being in their custody, requires CDPHE to develop and implement the harm Reduction Grant Program, asks the Commission on Criminal and Juvenile Justice to make recommendations concerning the treatment of individuals with substance use disorders who come into contact with the criminal justice system, establishes a new process for sealing convictions for certain drug-related offenses, expands the scope of the Substance Abuse Trend and Response Taskforce, and provides funding to expand existing jail-based behavioral health services programs to support MAT in jail. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-227](#) by Senators Pettersen and Gonzales and Representatives Kennedy and Herod: Harm Reduction Substance Use Disorders**

The bill allows school districts to supply opioid antagonists, a medication used to block the effects of opioids especially in overdose. The bill creates an opioid antagonist bulk purchase fund, and allows a person or entity that has a defibrillator available to also make an opioid antagonist available and provides protection from liability. The bill also specifies that hospitals can be a clean syringe exchange site, expands the medication take back program, requires the Department of Human Services to make mobile response units available for the purpose of providing MAT in jails, and prohibits the Office of Behavioral Health from penalizing a facility that initiates MAT for someone without an ID. **The bill passed the legislature and is awaiting Governor Polis's signature.**

- **[SB19-228](#) by Senators Winter and Moreno and Representatives Buentello and Singer: Substance Use Disorders Prevention Measures**

SB 228 is the most comprehensive of the substance use disorder related proposals. The bill did several things including:

- Requires CDHS to conduct research the incidence of prenatal substance exposure and related newborn and family health and human services outcomes as the result of a mothers lawful and unlawful intake of controlled substances.
- Creates two programs in the Office of Behavioral Health. One requires OBH to purchase prevention services from one or more community-based youth development organizations that administer evidence-based substance use prevention programs to youth and families. The other program is the Maternal

and Child Health Pilot Program which integrates substance use disorder and MAT with obstetric and gynecological health care at 3 treatment facilities and 6 clinics.

- Appropriates \$2 million Marijuana Tax Cash Fund to pursue measure at the state and local levels to address opioid and other substance use disorder priorities.
- Requires CDHS, HCPF, and DOC to report the amount of Federal funds that each is receiving or eligible to receive for the use in testing for hepatitis and HIV and the number of individuals anticipated to be tested. They are also required to share eligibility standards for treatment with primary care providers.
- Requires certain providers to complete substance use disorder training as part of continuing education requirement for professional license renewal.

The bill has passed the legislature and is waiting signature by the Governor.

- **[SB19-001](#) by Senator Garcia and Representative Buentello: Expand Medication Assisted Treatment Pilot Program**

President Garcia's top priority of the session was the passage of SB 001: Expand Medication-assisted Treatment Pilot Program. The bill expands a MAT pilot program administered by the CU College of Nursing to Routt, San Luis, and Pueblo Counties and increases the funding to \$5 million a year for two years. The bill has passed the House and Senate and is waiting signature by the Governor.

Creation of three new offices was also debated in the legislative session:

- **Office of Saving People Money on Health Care**

In the State of the State, Governor Polis announced he would create an Office of Saving People Money on Health Care. Early in the session he issued an executive order to create the Office. The Office will work to reduce the costs of the individual health insurance exchange, to develop proposals to lower health insurance options, and to increase hospital price transparency. [HB19-1127](#) allows Lt. Gov. Primavera to serve concurrently as the Lt. Gov. and as head of the Office of Saving People Money on Health Care. While HB19-1127 passed, it saw debate throughout the process.

- **[HB19-1314](#) by Representatives Becker and Galindo and Senators Winter and Donovan: Just Transition from Coal Based Economy**

The bill creates the Just Transition Office in CDLE to administer benefits to coal workers and grants to coal communities in transition. The bill passed the legislature and is awaiting Governor Polis's signature.

- **[SB19-244](#) by Senators Winter and Gardner and Representative Lontine: Management of Legislative Workplace Conduct**

The bill creates the Office of Legislative Workplace Relations within the Office of Legislative Legal Services to handle workplace conduct and harassment issues. The bill passed the legislature and is awaiting Governor Polis's signature.

Interim Committees

Every year the legislature approves temporary committees to meet over the summer and fall interim period. These committees' study in depth an issue facing the state and make recommendations for policy changes to Legislative Council in the fall. Interim committees are either approved by a majority of the Legislative Council or by passage of a bill.

Here is a list of interim committees approved this session:

- [Zero Waste and Recycling Interim Study Committee](#): The committee will meet up to 6 times during the 2019 interim to study zero waste and recycling in Colorado.
- [Energy Legislation Review Interim Study Committee](#): The committee will meet 5 times during the 2019 interim to study a variety of energy related topics including electric vehicle market adoption, distributed generation options, climate change policies, energy storage and energy supply and transmission planning.
- [Tax Expenditure Evaluation Interim Study Committee](#): The State Auditor has begun to evaluate all of the state's tax credits to evaluate their efficacy toward their stated public policy goals. This interim committee will meet 5 times during the 2019 interim to study recommendations for state tax expenditures made by the State Auditor.
- [Investor-owned Utility Review Interim Study Committee](#): The interim committee will meet 4 times to study certain practices by investor owned utilities including administration of energy assistance programs, time of metering programs, if an audit of consumer programs ran by IOUs is necessary, if IOUs should make additional reports to the General Assembly, and the role of aggregated choice in the price of energy.
- [Making Higher Education Attainable Interim Study Committee](#): The committee will meet 6 times to study the high cost of higher education, tuition rate setting, barriers to obtaining post-secondary education, and the risks and rewards of post-secondary education.
- [Prison Population Management Interim Study Committee](#): The interim committee will meet 15 times to study public policy options to reduce the prison population, reduce recidivism, and monitor previously passed prison reform legislation.
- [Health Care Cost Analysis Task Force](#): This task force was created through HB 1176 Health care Cost Savings Act of 2019, sponsored by Representatives Sirota and Jaquez Lewis and Senator Foote. From 2019 to 2022, a 17-member task force will contract with an analyst to study the current health care financing system, a universal health care system with all Coloradans covered under a single plan, and a publicly financed, privately delivered health care system.
- [Legislative Interim Committee on School Finance](#): This task force, originally created in 2017, was extended for one more year. The Committee studies the school finance formula which sets the distribution of K-12 education funding and makes recommendations for changes to the formula. [SB19-094, Extend School Finance Interim Committee, by Senators Lundeen and Todd and Representative Garnett passed the legislature and is awaiting Governor Polis's signature.](#)
- [Statewide Health Care Review Committee](#): This creates a permanent legislative interim committee to meet 2 times and have up to 2 field trips per interim to study health care issues in

the state. A similar standing interim committee has existed in the past. [SB19-015 by Senator Ginal and Representative Beckman, Create Statewide Health Care Review Committee](#) passed the legislature and is awaiting Governor Polis's signature.

- [Committee on Juvenile Justice Reform](#): SB19-108 creates a committee in the Governor's Office to study potential changes to the juvenile justice system. The bill was sponsored by Senators Lee and Gardner and Representatives Michaelson Jenet and Soper and [the bill passed the legislature and is awaiting Governor Polis's signature.](#)
- [Colorado Youth Advisory Council Review Committee](#): HB19-1024 by Representatives McKean and Buentello and Senators Todd and Coram creates a review committee to meet up to 3 times during each interim to review legislative ideas brought by the Colorado Youth Advisory Council. The Review Committee can recommend up to 3 bills to the legislature each year. [HB19-1024 passed the legislature and is awaiting Governor Polis's signature.](#)
- [State Tax System Working Group](#): SB19-248 creates an interim working group to meet during the 2019 interim and study the state sales tax administration system, GenTax. The bill was sponsored by Senators Tate and Bridges and Representatives Singer and Baisley. [The bill passed the legislature and is awaiting Governor Polis's signature.](#)
- [Family and Medical Leave Implementation Task Force](#): A task force created under SB 188 will meet over the 2019 interim and make recommendations about implementation of a paid family and medical leave program for all employees in the state for the 2020 legislative session.

Conclusion

In the last week of the legislative session, Secretary of State Jena Griswold announced that Colorado's primary election will be held on March 3rd, 2020. Holding the primary on Super Tuesday has benefits and downsides.

Governor Polis considered calling a special session to deal with some of the issues that didn't make it across the finish line, but ultimately ruled it out. Given the long list above, the legislature will be quite busy with interim committees over the summer and fall months. In addition, lawmakers have already signaled their interest in bringing back many of the controversial proposals that failed to pass this session. Governor Polis's team will now have an opportunity to put together the Governor's first budget proposal, which starts with the development of agency requests, then proceeds to review by the Office of State Planning and Budgeting and the Governor, and is set to be delivered to the Joint Budget Committee on November 1, 2019. The next session of the Colorado General Assembly will begin on Wednesday January 8, 2020.