



DRCOG Legislative Report

Status of Bills, as of April 6, 2026

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Transportation bills

House Bill 26-1065: Transit and Housing Investment Zones

Bill Summary: The bill creates a mechanism for a local government and transit agency, subject to state approval, to undertake a transit investment project, to designate a transit investment area in which the project will be built, and to create a transit investment authority or to designate other financing entities with the power to receive and use the increment of revenue derived from the state sales tax collected in the area that is equal to the amount of state sales tax revenue collected in an area above a designated base amount plus 20% of that same revenue to be used to finance eligible improvements related to the project.

The bill also creates the Colorado affordable housing in transit investment zones tax credit. The tax credit is administered in the same manner as the Colorado affordable housing in transit-oriented communities tax credit; except that the tax credit is awarded in connection with qualified low- and middle-income housing projects in transit and housing zones. The bill allows \$50 million of credits to be awarded each calendar year beginning in the 2027 calendar year through the 2033 calendar year.

Sponsors: McCluskie & Woodrow/Roberts & Exum

Status: House Appropriations

Fiscal Note for HB26-1065

Position: Monitor

Staff comments: Would set up two financial programs for which local officials and developers could apply. One would use sales tax revenue collected near a transit stop to help fund up to six total projects that are intended to boost access to transit. Those projects could include adding signs, changing roadways and building transportation facilities. The second incentive would be \$350 million in tax credits, spread out over six years starting in 2027, that are intended to support the construction of affordable housing near transit stops. **The bill had 11 amendments in committee. The amendments clarified definitions and addressed the application process, governance, and technical and administrative concerns.**

Legislative Policy: DRCOG supports legislation that promotes efforts to fund, maintain and expand a multimodal transportation system and state allocation of funds to support transit services within and among communities in the DRCOG area.



House Bill 26-1102: Funding for Colorado DRIVES Account

Bill Summary: The bill makes the following changes to increase the amount of revenue that is directed to the Colorado DRIVES account created in the Highway Users Tax Fund: Beginning July 1, 2027, it redirects \$2 of each late vehicle registration fee from the Highway Users Tax Fund (HUTF) to the DRIVES Cash Fund; and redirects registration fees for personalized license plates from the HUTF to the DRIVES Cash Fund, except \$2 of each fee is still remitted to the county in which the plate was issued. The bill also allows the department to charge a fee to individuals who fail to appear for an appointment with the Department of Motor Vehicles or cancel within 24 hours of the scheduled appointment, with certain exceptions.

Sponsors: Lindsay/Snyder

Status: Senate Appropriations

Fiscal Note for HB26-1102

Position: Oppose

Staff comments: The bill is intended to increase and stabilize funding for the Division of Motor Vehicles, whose fund is expected to be insolvent at the end of FY 2027-28. It does this by reallocating existing fees that otherwise would go to the HUTF. **CML and CCI Oppose the bill.** However, our partner organizations note HB 26-1289 contains a provision to use fuel tax deduction changes to backfill the lost HUTF funds. One strategy is to delay the progress of HB26-1102 until HB26-1289 is signed into law, to ensure the funds to offset the loss of HUTF funds for local governments are there.

Legislative Policy: Reduce or eliminate off-the-top appropriations from the Highway Users Tax Fund.

House Bill 26-1237 Transportation Safety Modifications

Bill Summary: The bill makes various changes to statute regarding transportation safety. These changes include:

- clarifying tire, chain, and alternate traction device requirements on a state highway by removing references to four-wheel and all-wheel drive vehicles;
- prohibiting an individual from stopping, standing, or parking on a portion of roadway designated as a bike lane, and making it a class B traffic infraction to do so;
- clarifying language regarding abandoned motor vehicles; and,
- updating statutory references relating to vehicle or traffic collisions or collisions involving other transportation devices.

Sponsors: L. Smith & Taggart/Lindstedt

Status: Passed Both Chambers



Fiscal Note for House Bill 26-1237

Position: Support

Staff comments: DRCOG's board-adopted *Taking Action on Regional Vision Zero* plan establishes a goal to eliminate traffic deaths and severe injuries on the transportation system with a proactive, preventive approach. The bill has broad support **CCI supports the bill.**

Legislative Policy: DRCOG supports measures to improve safety for users of all travel modes, including drivers, transit riders, pedestrians and bicyclists.

Senate Bill 26-070 Ban Government Access Historical Location Information Database

Bill Summary: The bill prohibits a government entity from accessing a database that reveals an individual's or a vehicle's historical location information, subject to certain exceptions. The bill prohibits a government entity from sharing historical location information with third parties or government agencies outside their jurisdiction, subject to certain exceptions, and makes historical location information not a public record for the purposes of the "Colorado Open Records Act". The bill requires a government entity that collects historical location information to adopt a policy to maintain compliance with the provisions of the regulatory scheme. An enforcement action is created for the attorney general to enforce the provisions of the bill. Historical location information obtained in violation of the prohibitions of the bill are inadmissible in trial.

Sponsors: Amabile & Wilson/Zokaie & Nguyen

Status: Senate Appropriations

Fiscal Note for Senate Bill 26-070

Position: Oppose/Amend

Staff comments: DRCOG staff is concerned that the bill could unintentionally negatively affect our ability (and our local governments ability) to collect travel and crash data – as the bill could significantly hinder law enforcement's ability to access and share historical location information, defined as information revealing the location of an individual or vehicle. The bill has been amended to narrow its application and extend the data retention limit to 30 days. **CML and CCI remain opposed.** The bill has a \$2,000,000 fiscal note raising a serious question about its future.

Legislative Policy: DRCOG supports efforts to maintain the ability to use safety cameras as an enforcement technique, including red-light running and speeding.



House Bill 26-1398: Retail Delivery Fee Revenue Allocation

Bill Summary: Under existing law, 28.9% of the revenue the state collects from the retail delivery fee is credited to the multimodal transportation and mitigation options fund (fund). Of the money from the retail delivery fee that is credited to the fund, currently 85% is allocated to the commission for local multimodal projects and 15% is allocated to the commission for state multimodal projects. Beginning on July 1, 2026, the bill adjusts the allocation to 70% to the commission for local multimodal projects and 30% to the commission for state multimodal projects.

Sponsors: Brown & Sirota/Amabile & Kirkmeyer

Status: House Floor

Fiscal Note for House Bill 26-1398

Position: Amend

Staff comments: Staff's understanding is that the current transfer of the Retail Delivery Fee is about half of the MMOF. This bill will transfer a significant amount of the local share of the retail delivery fee to the Colorado Department of Transportation. The State share of the total allocation supports the Bustang service. This change in the allocation of the retail delivery fee revenue will hold Bustang harmless at the expense of the local share.

Legislative Policy: DRCOG supports the following principles and actions to meet transportation financing needs: Increase funding for transportation to preserve the system, mitigate congestion, improve safety, and provide multi-modal options for people of all ages, incomes and abilities. Allocate additional state funds to support transit services within and among communities in the DRCOG area.

House Bill 26-1399: Eliminate General Fund Transfer to Multimodal Transportation Fund

Bill Summary: Under current law, the State Treasurer is required to transfer \$10.5 million from the General Fund to the Multimodal Transportation and Mitigation Options Fund (MMOF) every July 1 beginning on July 1, 2024, and ending on July 1, 2031. The bill eliminates future transfers after the July 1, 2025, transfer.

Sponsors: Brown & Taggart/Amabile & Kirkmeyer

Status: House Floor

Fiscal Note for House Bill 26-1399

Position: Oppose



Staff comments: The Joint Budget committee eliminated the transfer for last year’s budget. With this bill, the JBC eliminates the transfer permanently. Unfortunately, they also voted to sponsor legislation to permanently eliminate the annual \$10.5M General Fund transfer to the MMOF. The JBC indicated that they support the MMOF program but are forced to make difficult decisions this year due to the state’s budget constraints. Staff’s understanding is that the General Fund transfer comprises about half of the annual revenue to the MMOF.

Legislative Policy: DRCOG supports the following principles and actions to meet transportation financing needs: Increase funding for transportation to preserve the system, mitigate congestion, improve safety, and provide multi-modal options for people of all ages, incomes and abilities. Allocate additional state funds to support transit services within and among communities in the DRCOG area.

Aging bills

[House Bill 26-1018](#): Long-term Care Services for Nursing Home Residents

Bill Summary: As introduced, the bill required an individual being discharged from a nursing facility to be presumptively eligible for long-term services and supports under Medicaid. It also required county departments of human or social services to set up the long-term services and supports for an individual being discharged from a nursing facility prior to the individual’s discharge date. And it established remedial measures against a county department or a nursing facility if either failed to set up long-term services and supports for the individual. **The bill was amended to require the Department of Health Care Policy and Financing to conduct a study of transition services provided by the state’s Medicaid program.**

Sponsors: Jackson & Joseph/Amabile

Status: House Appropriations

[Fiscal Note for House Bill 26-1018](#)

Position: Support

Staff comments: This bill was initiated by the Independent Living Centers. It addresses a concern about having adequate services available however, CCI, individual counties and DRCOG’s ombudsman have concerns with how the bill inserts “presumptive eligibility” and imposes new penalties without more clearly outlining responsibilities and eligibilities.



Legislative Policy: DRCOG supports efforts to improve the quality of long-term care and consumer protections for older adults and their caregivers.

House Bill 26-1107: Health Care in Regulated Facilities

Bill Summary: As amended, the bill established information disclosure requirements for a licensed dementia care facility that advertises, markets, promotes, or offers services, including memory care services, for individuals with dementia and dementia-related conditions, including Alzheimer's disease. It requires the Department of Public Health and Environment, in consultation with the state long-term care ombudsman, to create a dementia care services information form by January 1, 2027.

Beginning July 1, 2027, every dementia care facility must provide its completed form to every individual who contacts the facility seeking dementia care services; review and update the form when a change in information occurs; publish the facility's current version of the form on the facility's website; and maintain on the facility's premises and have available for inspection a copy of the facility's current form. A violation of these requirements is a deceptive trade practice under the "Colorado Consumer Protection Act".

Sponsors: Feret/Paschal

Status: Passed Both Chambers

Fiscal Note for HB26-1107

Position: Support

Staff comments: This bill addresses a problem with a lack of transparency in the information and in some cases misleading information provided to prospective residents of dementia care facilities and their families. **The bill was amended to remove the provisions providing for the administration of medication specifically by injection and allow a licensed practical nurse or a certified nurse aide to administer medication by injection as part of a medication administration.**

Legislative Policy: DRCOG supports efforts to improve the quality of care and consumer protections for older adults and their caregivers and, in particular, legislation strengthening the role of the long-term care ombudsman and PACE ombudsman as resident and consumer advocates.



Housing bills

[House Bill 26-1001](#): Housing Developments on Qualifying Properties

Bill Summary: The bill requires jurisdictions over 2,000 population, on or after December 31, 2027, to allow a residential development to be constructed on a qualifying property that does not contain an exempt parcel, subject to an administrative approval process. A qualifying property is real property that contains no more than 5 acres of land and is owned by a:

- nonprofit organization with a demonstrated history of providing affordable housing; that provides public transit; and that has entered into an agreement with another nonprofit organization with a demonstrated history of providing affordable housing, provided that the agreement requires the nonprofit organization with a demonstrated history of providing affordable housing to develop a residential development on the property,
- school district; state college or university; housing authority; or local or regional transit district or a regional transportation authority serving one or more counties.

Sponsors: Boesenecker & Mabrey/Exum & Gonzales

Status: Signed by the Governor

[Fiscal Note for House Bill 26-1001](#)

Position: Oppose

Staff comments: The bill has been extensively amended. CML, CCI and Metro Mayors Caucus are opposed. CCAT is in an Amend position.

Legislative Policy: DRCOG supports policies and programs that support the private and public sectors in the creation and maintenance of an adequate supply of affordable rental and ownership options and providing a variety of housing sizes and types integrated with the community to meet the needs of people of all ages, incomes, and abilities. An adequate supply of permanently affordable housing located near job and transit hubs and continued public- and private-sector support for such an effort. State policy that incentivizes local governments to adopt land use policies aimed at increasing a diverse supply of housing stock.

[Senate Bill 26-001](#): Workforce Housing & Housing Tax Credit

Bill Summary: Currently, a board of county commissioners may not appropriate general fund money from ad valorem taxes for multijurisdictional housing authorities or other housing authorities established in statute. The bill allows a board to use revenue generated by ad valorem taxes that is in the county's general fund or in other specified



county funds for housing authorities. In addition, the bill allows a county board to use county general fund money from ad valorem taxes or money from other county funds for workforce housing.

Currently, a middle-income housing tax credit may be transferred from a governmental entity or quasi-governmental entity to a qualified taxpayer. A qualified taxpayer must own an interest in a qualified project to claim the credit. The bill entitles an individual, person, firm, corporation, or other entity subject to income tax and transferred a credit by a governmental entity or quasi-governmental entity to claim the credit without owning an interest in a qualified project.

Sponsors: Roberts/Boesenecker & Richardson

Status: Signed by the Governor

[Fiscal Note for Senate Bill 26-001.](#)

Position: Support

Staff comments: This bill allows a county to spend property tax revenue in its general fund for housing authorities and workforce housing. The bill also permits a governmental entity to transfer the middle-income housing tax credit to any individual, person, firm, corporation, or other entity subject to income taxes. **This bill has been amended, mostly to clarify various details.**

CML and CCI Support.

Legislative Policy: DRCOG supports collaboration among public and private entities, including efforts to develop loan programs and address the jobs-housing connections. State policy that incentivizes local governments to adopt land use policies aimed at increasing a diverse supply of housing stock. Policies and programs that support the private and public sectors in the creation and maintenance of an adequate supply of affordable rental and ownership options and providing a variety of housing sizes and types integrated with the community to meet the needs of people of all ages, incomes, and abilities.

