



DRCOG Legislative Report

New Bills, as of February 11, 2026

Rich Mauro, Director of Legislative Affairs

If you need digital accessibility assistance, submit a request at drcog.org/access or call 303-455-1000. Please expect a response within 72 hours (three business days).

Contents

DRCOG Legislative Report 1

 New Bills, as of February 11, 2026..... 1

 Transportation bills 3

 House Bill 26-1065: Transit and Housing Investment Zones 3

 Aging bills..... 4

 House Bill 26-1018: Long-term Care Services for Nursing Home Residents 4

 House Bill 26-1107: Health Care in Regulated Facilities..... 4

 Housing bill 6

 House Bill 26-1001: Housing Developments on Qualifying Properties 6

 Senate Bill 26-001: Workforce Housing & Housing Tax Credit..... 7



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 Finance (February 23)

Fiscal Note: Unavailable at this time

Staff recommended 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.

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.



Aging bills

House Bill 26-1018: Long-term Care Services for Nursing Home Residents

Bill Summary: The bill requires an individual being discharged from a nursing facility to be presumptively eligible for long-term services and supports under Medicaid. The bill requires the Department of Health Care Policy and Financing to determine presumptive eligibility and requires 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. The state department is required to submit an annual report to the state auditor and post the report on the state department's website detailing information about the individuals discharged from a nursing facility and the associated presumptive eligibility determinations. The bill establishes remedial measures against a county department if the county department fails to set up long-term services and supports for the individual. The bill establishes remedial measures against a nursing facility that fails to discharge an individual on the discharge date due to a failure within the nursing facility's control or fails to cooperate in good faith with the state department to ensure long-term care services and supports are in place for the individual.

Sponsors: Jackson & Joseph/Amabile

Status: House Health & Human Services (February 17)

Fiscal Note for House Bill 26-1018

Position: Monitor/Amend

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. **CCI is in an Amend position.**

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: The bill establishes 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. The bill 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. The form must include fields for the disclosure of certain information regarding a dementia care facility's dementia care services.

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: House Health & Human Services (2-17)

Fiscal Note: Unavailable at this time.

Recommended position: Support with amendment

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 also includes 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. The sponsor has expressed her intent to make these provisions permissive.

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 bill

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: Passed the House

Fiscal Note for House Bill 26-1001.

Recommended position: Board direction is requested.

Staff comments: This bill is a reintroduction of HB25-1169 with churches removed. This year, schools, higher education entities, public housing authorities, and local housing nonprofits will be permitted to bypass local zoning and permitting rules to build housing. It preempts local land use authority by allowing schools, higher education institutions, public housing authorities, transit agencies, and housing-related non-profits to develop residential properties on land they own through an administrative approval process.

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: House Transportation, Housing & Local Government

Fiscal Note for Senate Bill 26-001.

Recommended 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.

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.

