LEGISLATIVE SUMMARY (as of June 16, 2017)

This legislative summary lists the status of all legislation that the Denver Regional Council of Governments (DRCOG) supports, opposes or monitors during the 2017 legislative session, as of June 16, 2017. For additional information, contact Rich Mauro, senior legislative analyst, at 303-480-6778. The DRCOG Legislative Policy Statement as adopted by the Board of Directors states, in part:

DRCOG’s legislative activity will be generally focused on the following types of issues:
(1) Proposals of special significance to the Denver region, or which would have a unique effect upon local governments in this region;
(2) Proposals that affect DRCOG as an agency or would affect one or more of its programs; and
(3) Legislation to implement DRCOG special task force recommendations. Support for or opposition to a bill or legislative funding measure will be given, and be subject to reassessment, according to a bill’s or measure’s consistency with DRCOG’s adopted principles and plans.

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<tr>
<th>Bill No.</th>
<th>Sponsor</th>
<th>Short Title</th>
<th>Fiscal Note</th>
<th>Staff Comments</th>
<th>DRCOG Position Legislative Policy</th>
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<tr>
<td>SB17-011</td>
<td>Lambert/</td>
<td>Study Transportation Access for People with Disabilities</td>
<td>Fiscal Note</td>
<td>To demonstrate the transportation access needs of people with disabilities in both urban and rural areas of the state, the forum is directed to study the transportation access needs of people with disabilities in El Paso and Teller counties and explore technological and transportation business solutions that could increase transportation access for people with disabilities in those areas.</td>
<td>Monitor</td>
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<td>Lawrence</td>
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<td>Signed by the Governor</td>
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<td>HB17-1087</td>
<td>Young/</td>
<td>Public Guardianship Pilot Program</td>
<td>Fiscal Note</td>
<td>Signed by the Governor</td>
<td>Support</td>
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<td>Lundberg</td>
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<td>This bill addresses a need in the care industry that has been a concern for a long time. It is the result of a stakeholder process that has been working since a report on the issues in 20114. The pilot program will operate in three judicial districts: Ninth (Denver), Seventh (Montrose) and 16th (Otero).</td>
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<td>HB17-1191</td>
<td>KC Becker &amp; Herod</td>
<td>Demographic Notes for Certain Legislative Bills</td>
<td>The bill requires the staff of the Legislative Council to prepare demographic notes on legislative bills in each regular session of the general assembly. The speaker of the House of Representatives, the minority leader of the House of Representatives, the president of the Senate, and the minority leader of the Senate are authorized to request five demographic notes each, or more at the discretion of the director of research of the Legislative Council. A demographic note is defined as a note that uses available data to outline the potential disparate effects of a legislative measure on various populations within the state.</td>
<td>Fiscal Note</td>
<td>Postponed Indefinitely Senate Finance</td>
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<td>HB17-1253</td>
<td>Danielson/ Crowder</td>
<td>Protect Seniors from Financial Abuse</td>
<td>The bill requires licensed securities professionals (broker-dealer or investment adviser) to report to the state Commissioner of Securities if, while acting within the scope of their employment, they reasonably suspect that an elderly or at-risk person is the subject of financial exploitation. The commissioner is required to forward the report to local law enforcement and to the Department of Human Services. The commissioner has access to records to conduct an investigation, but the records are not subject to an open records request. The bill also authorizes the broker-dealer or investment adviser to notify any third party designated by or associated with the elderly or at-risk person of any suspected financial exploitation. It also authorizes the broker-dealer or investment adviser to delay disbursement of a transaction that might result in financial exploitation. The bill provides immunity to qualified individuals, broker-dealers, and investment advisers making reports, disclosures, or delaying disbursements.</td>
<td>Signed by the Governor</td>
<td>DRCOG has been supportive of previous legislation on mandatory reporting of abuse of at-risk adults. According to the 2010 Investor Protection Trust Elder Fraud Survey, one out of every five citizens sixty-five years of age or older has been victimized by a financial fraud, making financial exploitation the fastest-growing category of elder abuse in many states. This act is modeled on legislation proposed by the North American Securities Administrators Association. To be successful in combating financial exploitation, state securities officials must be made aware of the exploitation at the time that it occurs. Mandatory reporting by persons licensed by the state ensures that state officials are alerted to cases of potential financial exploitation as early as possible, when intervention may be able to prevent harm or limit the damage to victims of financial exploitation. A mandatory reasonable-belief reporting requirement, coupled with immunity for reporting, provides an appropriate balance of incentives to encourage licensed securities professionals to report potential financial exploitation.</td>
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The bill establishes a local PACE ombudsman function under the supervision of the state PACE ombudsman. It provides for training, designation as representatives of the state office, access to PACE organizations and participants, authority to file complaints on behalf of PACE participants, and immunity from liability. The bill includes timeframes for the state PACE ombudsman to complete its duties and functions, including establishing statewide policies and procedures for investigating and resolving complaints relating to PACE programs and training local PACE ombudsmen. The Department of Human Services shall report to the Joint Budget Committee and to its legislative committee of reference concerning the long-term care ombudsman program and the state PACE ombudsman program, including program caseloads and the need, if any, for additional local ombudsmen.

The existing Program of All-Inclusive Care for the Elderly (PACE) includes the state PACE ombudsman, which was established in SB 16-195. The bill adds local PACE ombudsmen to the state ombudsman's office (office). This bill is the result of a stakeholder process required under SB 16-195. The stakeholder group met during the summer 2016 and, on Nov. 1, 2016, issued its recommendations for legislation to be introduced during the 2017 legislative session to establish a PACE ombudsman program at both the state and local level. DRCOG staff coordinated a subsequent stakeholder process to develop the legislation, obtained bill sponsors and worked with legislative staff to draft the bill. The fiscal note has not yet been produced. However, the stakeholder group recommended the local ombudsman program be staffed initially with six full-time equivalent positions.

The bill establishes a state-level program (program) within the Department of Human Services for a check of the department's Colorado Adult Protective Services (CAPS) data system. Beginning Jan. 1, 2019, the bill requires certain employers at facilities or programs that serve at-risk adults to request a CAPS check prior to hiring employees who will provide direct care, as defined in the bill, to at-risk adults. The list of employers required to request a CAPS check includes: health facilities licensed by the Department of Public Health and Environment; an adult day care facility; a community integrated health care service agency; a community-based board or service agency; a county department for adult protective services employees; an area agency on aging; a facility operated by the department for persons with mental illness; a facility operated by the department for persons with developmental disabilities; and a veterans community living center.

Area agencies on aging, like DRCOG's are covered under this bill. DRCOG already conducts records and background checks on AAA employees. The CAPS check verifies whether a person is substantiated in a case of mistreatment of an at-risk adult, as defined in the bill. The bill grants immunity from civil liability for employers who make an employment decision based upon the information obtained in the CAPS check, unless the employer knows that the information is false or acts with reckless disregard concerning the veracity of the information. The department is authorized to assess a fee for each CAPS check sufficient to cover certain expenses, including those related to the CAPS check. The department is required to provide training to county departments of human or social services relating to investigations, the accurate entry of documentation into CAPS, and confidentiality of information.

DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers.
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<tr>
<td>SB17-153</td>
<td>Crowder &amp; Garcia/EsGar</td>
<td>Southwest Chief and Front Range Passenger Rail Commission</td>
<td>Fiscal note</td>
<td>Signed by the Governor</td>
<td>The new commission must assume the old commission’s powers, duties and mission of preserving existing Amtrak rail line service in the state, extending such service to Pueblo, and exploring the benefits of extending such service to Walseenburg; and facilitate the future of front range passenger rail and specifically present to the legislature by Dec. 1, 2017 draft legislation to facilitate the development of a front range passenger rail system that provides passenger rail service in and along the Interstate 25 corridor. Metropolitan planning organizations, including DRCOG, have representation on the commission.</td>
<td>Support</td>
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<tr>
<td>HB17-1151</td>
<td>Hansen &amp; Willett/Kerr &amp; Hill</td>
<td>Electrical Assisted Bicycles Regulation Operation</td>
<td>Fiscal note</td>
<td>Signed by Governor</td>
<td>This bill removes electrical assisted bicycles from the definition of motor vehicle and defines an electrical assisted bicycle as a bicycle equipped with an electric motor not exceeding 750 watts of power. It makes anyone who violates the labeling and equipment provisions subject to a Class B traffic infraction, with a fine of $15 and a surcharge of $6. Local authorities may prohibit electrical assisted bicycles on a bike or pedestrian path under its jurisdiction. According to the fiscal note, from February 2014 to February 2017, there were 60 convictions under the bicycle and personal mobility device equipment law. Colorado Municipal League is neutral and Colorado Counties, Inc. has no position.</td>
<td>Monitor</td>
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<tr>
<td>HB17-1153</td>
<td>Williams &amp; McKean/Gardner</td>
<td>Highway Congestion Mitigation</td>
<td>Fiscal note</td>
<td>Postponed Indefinitely House Transportation</td>
<td>This bill dedicates future federal funding solely to Interstate 25 (outside of the planning process). The Colorado Department of Transportation says it would cause them to divert funding from maintenance of the system. It also changes the requirement for high-occupancy vehicle lanes from three-plus individuals in the vehicle to two-plus individuals. This contradicts legal and contractual requirements on CDOT.</td>
<td>Oppose</td>
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The bill replaces the existing Southwest Chief rail line, the statutory authorization for which expires on July 1, 2017, with an expanded Southwest Chief and Front Range Passenger Rail Commission (new commission).

The bill defines three classes of electrical assisted bicycle, depending on their top speed and whether the electric motor assists in propulsion only while the rider is pedaling or propels the bicycle independently. It requires manufacturers to label electrical assisted bicycles as Class 1, Class 2 or Class 3, as appropriate, and prohibits a person from modifying an electrical assisted bicycle without also relabeling it to accurately reflect its classification. It also requires all electrical assisted bicycles to comply with federal Consumer Product Safety Commission requirements and specified classes of electrical assisted bicycles to be equipped with appropriate braking systems and speedometers.

The bill clarifies that high-occupancy vehicle lanes are lanes on which a vehicle carrying two or more individuals, including the driver, may travel and that high-occupancy vehicle lanes are lanes on which a vehicle carrying fewer than two individuals, including the driver, must pay a toll. The bill also raises the priority of currently unfunded projects to expand the capacity of Interstate 25 between Castle Rock and Monument and between State Highway 14 and State Highway 66 by requiring:

- The Colorado Department of Transportation to put the high-priority projects above all other unfunded projects on its priority list;
- all federal money received by CDOT that the federal government does not require to be allocated for other projects and that CDOT has not previously allocated for other projects to be used to fund the high-priority projects before being used to fund other projects; and
- any environmental or other studies required to be completed before the projects may begin to be completed no later than six months following the effective date of the bill.

The bill also raises the priority of currently unfunded projects from three to two plus individuals. The bill clarifies that Class 3 projects above all other unfunded projects on its priority list; and the Colorado Department of Transportation to put the high-occupancy vehicle lanes on which a vehicle carrying fewer than two individuals, including the driver, may travel and that high-occupancy vehicle lanes are lanes on which a vehicle carrying fewer than two individuals, including the driver, must pay a toll. The bill also raises the priority of currently unfunded projects to expand the capacity of Interstate 25 between Castle Rock and Monument and between State Highway 14 and State Highway 66 by requiring:

- The Colorado Department of Transportation to put the high-priority projects above all other unfunded projects on its priority list;
- all federal money received by CDOT that the federal government does not require to be allocated for other projects and that CDOT has not previously allocated for other projects to be used to fund the high-priority projects before being used to fund other projects; and
- any environmental or other studies required to be completed before the projects may begin to be completed no later than six months following the effective date of the bill.

The bill also clarifies that Class 1 or Class 2 electrical assisted bicycles on a bike or pedestrian path under its jurisdiction. According to the fiscal note, from February 2014 to February 2017, there were 60 convictions under the bicycle and personal mobility device equipment law. Colorado Municipal League is neutral and Colorado Counties, Inc. has no position.
This bill requires the state Transportation Commission to submit a ballot question to the voters at the November 2017 election seeking approval to increase the state sales and use tax by 0.62 percent for 20 years beginning in 2018. If the voters approve the increase, the new revenue generated is allocated solely for transportation infrastructure funding purposes, as follows: $300 million annually to the state highway fund for use by the Colorado Department of Transportation; and of the remaining new revenue: 70 percent to counties and municipalities in equal total amounts; and 30 percent to a newly created multimodal transportation options fund. The Transportation Commission is to issue Transportation Revenue Anticipation Notes (TRANs Bonds) of a maximum amount of $3.5 billion and a maximum repayment of $5.0 billion. A Transportation Options Account and a Pedestrian and Active Transportation Account are created with no more than 75 percent of the revenue credited to the transportation options account and at least 25 percent of the revenue to the pedestrian and active transportation account.

The specific projects to be funded required to be included in the 2017 ballot information booklet. The revenue allocations to counties and municipalities are further allocated to each jurisdiction in accordance with existing statutory formulas used to allocate Highway Users Tax Fund money. A Multimodal Transportation Option Committee (governor-appointed from transit agencies, transportation planning agencies, local governments, and the Colorado Department of Transportation will allocate funding throughout the state. Funding will require an equal, local match. Preliminary estimates are that the tax increase will raise $700 million. There were many amendments to the bill both in the House and Senate before it was postponed indefinitely in Senate Finance.

This is the third transportation funding bill introduced so far and the second providing for a new round of TRANs bonding. The Board has opposed the other two bills – HB17-1153 and HB17-1171. One difference with this bill is it creates a new, dedicated funding source: an increase of 0.25 percent in the state sales tax. At the same time, House and Senate leadership are discussing the elements of a possible bipartisan bill to refer to the voters.
### Automated Driving Motor Vehicles

**Bill No.** HB17-213  
**Sponsor** Hill & Moreno/Winter & Bridges  
**Short Title** Automated Driving Motor Vehicles  
**Bill Summary** Expressly authorizes the use of automated driving systems if the system is capable of conforming to every state and federal law applying to driving. If not, a person testing a system is required to coordinate with the Colorado State Patrol and the Colorado Department of Transportation. Also declares that the regulation of automated driving systems is a matter of statewide concern, and, therefore, local authorities are prohibited from regulating these systems. Specifically, it prohibits municipalities from any actions that "burden, regulate or prohibit." Also clarifies that this law supersedes any authority otherwise granted to local governments under C.R.S. Section 42-4-111 which has to do with the general regulation of vehicles and traffic.  
**Fiscal Note**  
**Status** Fiscal Note  
**Staff Comments** A range of connected and autonomous vehicles are expected to soon be available to the public. While this raises the prospect for new and exciting mobility options, as these vehicles become commonplace, they may dramatically transform every aspect of livability in the communities in which they are driven – for better or for worse. While these vehicles bring the possibility of improved safety, reduced congestion, reduced parking demand and a route to faster adoption of electric vehicles, it has been suggested that these benefits could be undermined by widespread individual ownership and dramatic increases in vehicle miles traveled. Colorado Municipal League has a position to oppose the bill unless amended on the basis the bill usurps local control. Colorado Counties, Inc. has a position of monitor. The bill was amended to specify that automated driving vehicles must be held to the same standards as those for a human driver. Colorado Municipal League now lists the bill as formerly opposed.  
**DRCOG Position** Oppose without amendment  
**Legislative Policy** DRCOG supports building consensus among state, local and regional entities in developing and implementing new and existing programs and improved approaches to planning and service provision.

### Hearings on Transportation Commission Districts

**Bill No.** HB17-1031  
**Sponsor** Carver & Mitsch Bush/Todd  
**Short Title** Hearings on Transportation Commission Districts (recommended by the Transportation Legislation Review Committee)  
**Bill Summary** The bill requires the Transportation Legislation Review Committee to meet five times before Nov. 15, 2017, once in each geographic quadrant of the state and once in the Denver metropolitan area, to:  
- Make available to meeting attendees the 2016 Legislative Council staff research study of changes to the state transportation commission districts since the boundaries of the districts were last redrawn in 1991; and  
- Offer opportunities to members of the public to express their opinions regarding the districts or the research study and offer comments and suggestions regarding whether the districts should be modified.  
**Fiscal Note**  
**Status** Fiscal Note  
**Staff Comments** The 2016 report was prepared with the cooperation of the Colorado Department of Transportation as required by House Bill 16-103. This bill is the response of the Transportation Legislation Review Committee to get public input. DRCOG had a position of *actively monitor* for a similar bill last year.  
**DRCOG Position** Monitor  
**Legislative Policy** DRCOG supports legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests.

### Construction Defect Claim Allocation of Defense Costs

**Bill No.** SB17-045  
**Sponsor** Grantham & Williams A./Duran & Wist  
**Short Title** Construction Defect Claim Allocation of Defense Costs  
**Bill Summary** In a construction defect action in which more than one insurer has a duty to defend a party, the bill requires the court to apportion the costs of defense, including reasonable attorney fees, among all insurers with a duty to defend. An initial order apportioning costs must be made within 90 days after an insurer files its claim for contribution, and the court must make a final apportionment of costs after entry of a final judgment resolving all of the underlying claims against the insured. An insurer seeking contribution may also make a claim against an insured or additional insured who chose not to procure liability insurance for a period of time relevant to the underlying action. A claim for contribution may be assigned and does not affect any insurer's duty to defend.  
**Fiscal Note**  
**Status** Postponed Indefinitely Senate Appropriations  
**Staff Comments** This bill (sponsored by the president of the Senate and the speaker of the House) is an attempt to reduce the insurance costs associated with owner-occupied affordable housing projects. The Metro Mayors Caucus had a discussion about the bill with the speaker at its annual retreat where it was noted the bill does not address concerns with litigation issues.  
**DRCOG Position** Monitor  
**Legislative Policy** DRCOG supports an adequate supply and mix of housing options, including actions to provide more accessible and obtainable housing options for older adults.
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<td>SB17-155</td>
<td>Statutory Definition of Construction Defect</td>
<td>The bill separately defines and clarifies the term &quot;construction defect&quot; in the &quot;Construction Defect Action Reform Act.&quot;</td>
<td>Fiscal note</td>
<td>&quot;Construction defect&quot; is defined as a defect in the design or construction of any improvement to real property that causes any damages to, or the loss of use of, real or personal property or personal injury.</td>
<td>Monitor</td>
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<tr>
<td>SB17-156</td>
<td>Homeowners' Association Construction Defect Lawsuit Approval Timelines</td>
<td>Before a construction defect claim is filed on behalf of the association the parties must submit the matter to mediation before a neutral third party and the board must give advance notice to all unit owners, together with a disclosure of the projected costs, duration and financial impact of the construction defect claim, and must obtain the written consent of the owners of units to which at least a majority of the votes in the association are allocated.</td>
<td>Fiscal note</td>
<td>Before a construction defect claim is filed on behalf of the association: the parties must submit the matter to mediation before a neutral third party; and the board must give advanced notice to all unit owners, together with a disclosure of the projected costs, duration, and financial impact of the construction defect claim, and must obtain the written consent of the owners of units to which at least a majority of the votes in the association are allocated.</td>
<td>Monitor</td>
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<td>SB17-245</td>
<td>Tenancies One Month to One Year Notice</td>
<td>Currently, a tenancy of one month or more but less than six months may be terminated by either party with seven days' notice. The bill extends the notice to 21 days. The bill also requires 21 days' notice for a landlord to increase rent in tenancies of one month or longer but less than six months.</td>
<td>Fiscal Note</td>
<td>This is a version of a bill DRCOG supported and testified in favor of last session. That bill, which increased the notice to 28 days failed in Senate State Affairs committee.</td>
<td>Support</td>
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<td>HB17-1159</td>
<td>Remedies for Forcible Entry and Detainer</td>
<td>The bill adds to the current descriptions of forcible detainer: the act of a person preventing an owner from access to or possession of property by locking or changing the lock on the property. The bill creates a procedure for the plaintiff to seek a temporary, mandatory injunction giving the plaintiff possession of the property if a complaint for forcible entry or detainer is filed. The procedure requires the plaintiff to store any personal property found on the property but allows the plaintiff to recover the costs of the storage. The bill establishes new crimes related to forcible entry and detainer the crimes of unlawful occupancy and unlawful reentry.</td>
<td>Fiscal note</td>
<td>Staff is concerned about the effect this bill could have on persons with disabilities and older Coloradans. This bill allows a landlord to shortcut the eviction judicial process by obtaining a court order that would give the landlord possession of a property before a tenant can offer their perspective at an eviction hearing. It expands the legal definition of forcible entry and detainer. And it creates two new crimes—unlawful occupancy and unlawful reentry—that would be punishable by a fine as high as $25,000. This bill seems odd as there already are laws to address both forcible entry and detainer and trespassing. It seems targeted at homeless squatters but also has raised concerns about adversely impacting domestic violence victims. A fast-track eviction process would be particularly harmful for people who need time to gather medications or medical equipment, circumstances that could be life-threatening. Also, finding another accessible, affordable living space without notice is almost impossible.</td>
<td>Oppose</td>
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DRCOG supports an adequate supply and mix of housing options, including actions to provide more accessible and obtainable housing options for older adults.
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<tr>
<td>HB17-1169</td>
<td>Construction Defect Litigation Builder's Right to Repair</td>
<td>Fiscal note</td>
<td>This bill addresses on of the issues of concern regarding construction litigation.</td>
<td>Monitor</td>
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<td>The bill clarifies that a construction professional has the right to receive notice from a prospective claimant concerning an alleged construction defect; to inspect the property; and then to elect to either repair the defect or tender an offer of settlement before the claimant can file a lawsuit seeking damages.</td>
<td>Postponed Indefinitely House State Affairs</td>
<td></td>
<td>DRCOG supports an adequate supply and mix of housing options, including actions to provide more accessible and obtainable housing options for older adults.</td>
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<tr>
<td>HB17-1279</td>
<td>Construction Defect Actions Notice Vote Approval</td>
<td>Fiscal note</td>
<td>Another construction litigation bill, this one also addresses an important issue – how unit owners associations decide whether to file a construction defects lawsuit – but does not address construction litigation in a comprehensive manner. However, the bill did gain bipartisan support and is on its way to the governor.</td>
<td>Board direction requested</td>
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<td>The bill requires that, before the executive board of a unit owners association in a common interest community brings suit against a developer or builder on behalf of unit owners, the board must:</td>
<td>Signed by the Governor</td>
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<td>DRCOG supports an adequate supply and mix of housing options, including actions to provide more accessible and obtainable housing options for older adults.</td>
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<td>• Notify all unit owners and the developer or builder against whom the lawsuit is being considered;</td>
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<td>• Call a meeting at which the executive board and the developer or builder will have an opportunity to present relevant facts and arguments; and</td>
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<td>• Obtain the approval of a majority of the unit owners after giving them detailed disclosures about the lawsuit and its potential costs and benefits.</td>
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<td>OTHER BILLS</td>
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<td>SB17-040</td>
<td>Public Access to Government Files</td>
<td>Fiscal note</td>
<td>From DRCOG's attorney: Our main concern with this bill is the additional administrative burden it places on the custodian to provide structured data to requestors, or provide a declaration why the custodian is not able to provide the records in the requested format. The bill also authorizes a requestor to legally challenge an alleged failure to provide documents as structured data, and this is another type of claim for which there is a “one-way” attorney fee shifting provision against the public entity. Also, while the custodian is not required to convert a record into structured data or searchable format, the custodian must make inquiries within the agency to determine if this can be done. In a larger organization, this means the custodian may end up spending considerable time trying to track down whether a record exists in, or can be readily converted to, the requested form. DRCOG would have a right to charge a fee for “programming, coding or custom search queries so as to convert a record into a structured data or searchable format,” but the administrative burden in responding to structured data Colorado Open Records Act requests may be significant.</td>
<td>Monitor</td>
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<td>The bill modifies the Colorado Open Records Act with respect to digital or electronic records. It requires custodians of public records to provide records in a structured data format, when requested. Structured data means digital data capable of being automatically read, processed or manipulated by a computer, and it includes data in relational databases and spreadsheets. If digital records are searchable, custodians must provide them in that format, when requested. Nothing in the bill requires custodians to provide digital records in their native format, meaning the format in which they were created or are stored on the custodian's computer or server. The bill provides certain exceptions.</td>
<td>Signed by the Governor</td>
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<td>No specific Board adopted policy. But DRCOG, as a public entity, is subject to CORA.</td>
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<td>HB17-1187</td>
<td>Thurlow/Crowder</td>
<td>Change Excess State Revenues Cap Growth Factor</td>
<td>The bill modifies the excess state revenues cap by allowing an annual adjustment for an increase based on the average annual change of Colorado personal income over the last 5 years, rather than adjusting for inflation and population. Colorado personal income is the total personal income for Colorado as reported by the U.S. Department of Commerce. As the modification may increase the amount that the state retains and spends in a given fiscal year, the bill seeks voter approval for the change, as required by the Taxpayers Bill of Rights.</td>
<td>Fiscal note</td>
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<td>SB17-057</td>
<td>Guzman'</td>
<td>Colorado Healthcare Affordability and Sustainability Enterprise</td>
<td>The bill creates the Colorado Healthcare Affordability and Sustainability Enterprise (enterprise) as a replacement for the current hospital provider fee.</td>
<td>Fiscal note</td>
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<tr>
<td>SB17-267</td>
<td>Guzman &amp; Sonnenberg/ J. Becker &amp; KC Becker</td>
<td>Sustainability of Rural Colorado</td>
<td>The bill recreates the Hospital Provider Fee as an enterprise; lowers the Referendum C/Taxpayers Bill of Rights spending cap; eliminates annual statutory transfers of General Fund revenue to the Highway Users Tax Fund; makes statutory General Fund transfers to the state Public School Fund for use for rural schools; requires executive branch departments to submit 2018-19 budget requests to the Governor’s Office of State Planning and Budgeting that are at least 2 percent lower than their 2017-18 budgets (the Office of State Planning and Budgeting must strongly consider the budget reduction proposals); and authorizes the state to execute lease-purchase agreements for eligible state facilities to generate up to $1.35 billion of net proceeds, with maximum annual lease payments of $100 million for up to 20 years.</td>
<td>Fiscal note</td>
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DRCOG has had an interest in the hospital provider fee issue before. Bills to convert the fee to an enterprise have been introduced in previous sessions and there is SB 17-057 from this year. SB 17-267 appears to be the first such bill with a good chance of passing. As of the date of this report, the bill still is subject to negotiation and amendment.