

# BOARD UPDATE



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**LEGISLATIVE SUMMARY (as of Jan. 10, 2020):** This legislative summary lists the status of all legislation that the Denver Regional Council of Governments (DRCOG) supports, opposes or monitors during the 2020 legislative session, as of Jan. 10, 2020. For additional information, contact Rich Mauro, senior legislative analyst, at 303-480-6778. The *DRCOG Policy Statement on State Legislative Issues*, 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.

Bill No./ Sponsor	Short Title Bill Summary	Fiscal Note/ Status	Staff Comments	DRCOG Position/ Legislative Policy
<b>AGING BILLS</b>				
<a href="#">HB20-1009</a>	<b>Suppressing Court Records Of Eviction Proceedings</b>	N/A		<b>Support</b>
Jackson/ Winter	The bill requires a court to suppress court records related to an eviction proceeding or an action for termination of a mobile home park tenancy so that the records are not publicly available. If an order granting the plaintiff possession of the premises is entered in the action, the court must lift the suppression order unless the parties agree that the records should remain suppressed. The names of the parties included in a court record that is suppressed may be used by a court for administrative purposes, but the court shall not, for any reason, publish the names of the parties online. A summons in an eviction proceeding must include a notice concerning suppression of court records related to the action.	Judiciary	The DRCOG Board supported SB19-180, which established a legal defense fund to help low income Coloradans facing eviction, as an approach to address a disparity low income individuals encounter under our legal system and to help prevent homelessness before it occurs. This bill is intended to remove a major barrier to housing by limiting public access to eviction court records when the eviction is dismissed. This would provide housing opportunities to many people who are experiencing poverty.	DRCOG supports the principle that renters and homeowners (including manufactured home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law.
<a href="#">SB20-030</a>	<b>Consumer Protections For Utility Customers</b>	<a href="#">Fiscal Note</a>		<b>Support</b>
Garcia/Esgar	The bill requires the Public Utilities Commission to collect information from utilities on medical exemptions from tiered electricity rates; to adopt standard practices for gas and electric utilities to follow when disconnecting service due to nonpayment; and to evaluate a policy of requiring public utilities to report positive information to credit reporting agencies. The bill also prohibits public utilities from employing certain rate structures without obtaining opt-in from customers. The bill will increase state expenditures in fiscal year 2020-2021 only.	Transportation & Energy	This bill amends an existing statute that was enacted to create a medical exemption from tiered electricity rates. Many older adults on low or fixed incomes also rely on medical equipment, such as respirators, for their health. DRCOG worked on this issue several years ago to support the medical exemption.	DRCOG supports consumer protections that enable older adults and individuals with disabilities to age in place.

Bill No./ Sponsor	Short Title Bill Summary	Fiscal Note/ Status	Staff Comments	DRCOG Position/ Legislative Policy
<a href="#">SB20-033</a>	<b>Allow Medicaid Buy-in Program After Age 65</b>	N/A		<b>Support</b>
Tate/Lontine	<p>Authorizes working adults with disabilities who are over 65 to continue participating in the existing Medicaid buy-in program as a state-funded program, without federal matching money, if, in part, the working adult:</p> <ul style="list-style-type: none"> <li>• is enrolled in or has applied for Medicare;</li> <li>• is eligible for and receiving long-term care home- and community-based services or durable medical equipment as part of complex rehabilitative services or has extraordinary medical expenses, as determined by rule of the state board, that are not covered by Medicare;</li> <li>• except as specified in the bill, was continuously enrolled in and receiving services through the Medicaid buy-in program for at least one year immediately prior to attaining 65 years of age; and</li> <li>• continues to meet the work requirements for the Medicaid buy-in program.</li> </ul>	Health & Human Services	Since 2014, the Medicaid Buy-In for Working Adults with Disabilities has been a path out of poverty for people with disabilities. It allows people who have a disability and a job to buy into Medicaid and if needed long-term services and supports. It allows people to earn up to 450% federal poverty level but only 50% of earned income counts and there is no asset test. <b>All other</b> disability paths into Medicaid carry a \$2,000 asset limit and strict earnings limits. However, under federal law it is only available to people between the ages of 16-65. If someone lives past age 65 they have to impoverish themselves to keep Medicaid. They have to get rid any assets saved during working years, stop or dramatically reduce work, forgoing any retirement savings.	DRCOG supports consumer protections that enable older adults and individuals with disabilities to age in place.

#### TRANSPORTATION BILLS

<a href="#">SB20-017</a>	<b>Transportation Public-Private Partnership Reporting</b>	<a href="#">Fiscal Note</a>		<b>Monitor</b>
Winter/Gray	<p>Under current law, the High-Performance Transportation Enterprise is annually required by Feb. 15 to present a report of the enterprise's activities to the House Transportation and Local Government Committee and the Senate Transportation and Energy Committee. By Feb. 15, 2021, this bill requires the High-Performance Transportation Enterprise to include the following information for each executed or proposed public-private partnerships in its report:</p> <ul style="list-style-type: none"> <li>• a summary of High-Performance Transportation Enterprise's processes and activities leading up to the public-private partnership, including information on the public comment and selection processes; and</li> <li>• a summary of the major financial, performance, and length-of-term provisions in actual or anticipated public-private partnership agreements.</li> </ul>	Transportation & Energy	This bill is intended to improve transparency of High-Performance Transportation Enterprise operation by increasing its reporting requirements.	no specific policy
<a href="#">SB20-044</a>	<b>Sales And Use Tax Revenue For Transportation</b>	N/A		<b>Monitor</b>
Lundeen/Carver	<p>For state fiscal year beginning July 1, 2020, the bill requires 10% of net revenue from sales and use tax, as a portion of the taxes attributable to sales or use of vehicles and related items, to be credited to the Highway Users Tax Fund and thereafter allocated for state, county and municipal highway system projects in accordance with the existing second stream formula for the allocation of the Highway Users Tax Fund money as follows: 60% to the state highway fund; 22% to counties; and 18% to municipalities.</p>	State Affairs	This bill is similar to SB97-001 that was repealed when SB09-225 was enacted. The fiscal note for the bill is not yet available. In past sessions, the DRCOG Board has opposed simply increasing General Fund transfers to transportation with consideration of the affect the transfers could have on other state priorities, especially aging services.	DRCOG transportation funding legislative policy speaks to the need for a revenue system that is reliable and sufficient through enhancements to existing revenue sources and the enactment of new revenue sources. Within this policy framework, DRCOG supports increases in funding for transportation to preserve the system, address congestion and safety, and provide multimodal options for people of all ages, incomes and abilities.

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<a href="#">SB20-061</a>	<b>Yield To Bicycles in Bicycle Lanes</b>	N/A		<b>Support</b>
Foote	Creates a new traffic offense for failing to yield to a bicycle in a bicycle lane. The offense is a class A traffic offense unless it is the proximate cause of a crash or if it causes bodily injury, then it is careless driving and is punished under the careless driving offense.	Judiciary		DRCOG supports measures to improve safety for users of alternative modes, especially pedestrians and bicyclists. DRCOG supports efforts to improve the safety of the traveling public – drivers, transit riders, pedestrians and bicyclists. DRCOG supports educational, enforcement and engineering approaches that enhance safety to reduce crashes, serious injuries and fatalities.
<a href="#">SB20-067</a>	<b>Vehicle Specific Ownership Tax Actual Price</b>	N/A		<b>Monitor</b>
Crowder	The bill changes this taxable value from manufacturer's suggested retail price to the actual purchase price.	Finance	Current law uses the manufacturer's suggested retail price of a vehicle to determine taxable value, which is used to determine the amount of the specific ownership tax. For class A and B vehicles that weigh 16,000 pounds or less, current law uses 75% of the manufacturer's suggested retail price; for class C and D vehicles, current law uses 85% of manufacturer's suggested retail price.	DRCOG transportation funding legislative policy speaks to the need for a revenue system that is reliable and sufficient through enhancements to existing revenue sources and the enactment of new revenue sources. Within this policy framework, DRCOG supports increases in funding for transportation to preserve the system, address congestion and safety, and provide multimodal options for people of all ages, incomes and abilities.