

BOARD UPDATE



1001 17th St. • Suite 700 • Denver, CO 80202
 main: 303-455-1000 • fax: 303-480-6790 • email: drcog@drcog.org • web: drcog.org

LEGISLATIVE SUMMARY (as of March 18, 2022): This legislative summary lists the status of all legislation that the Denver Regional Council of Governments supports, opposes or monitors during the 2022 legislative session, as of March 18, 2022. For additional information, contact Rich Mauro, Director of Legislative Affairs, 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	Status	Staff comments	DRCOG position / Legislative policy
AGING BILLS				
HB22-1035	Modernization of The Older Coloradans' Act			Support with amendments
Young and Bradfield/ Ginal and Rankin	The bill updates the Older Coloradans' Act, including reorganizing the Commission on Aging and increasing membership from 17 to 19 in order to coordinate and implement the Strategic Action Plan on Aging and to make recommendations; appointing a state department of human services liaison to act as the primary contact for the commission in order to coordinate commission-related duties with the state department and other state agencies; convening a technical advisory committee of key state agency representatives to direct the implementations of the plan and the commission’s recommendations; and creating the Lifelong Colorado initiative within the department’s State Office on Aging to coordinate strategies and implementation of the plan with the commission, advisory committee and key state agencies.	Passed both houses.	The purpose of the Older Coloradans' Act is to support older Coloradans through community planning, social services, health and well-being services, and strategies to prepare the state’s infrastructure for an increasingly older population of Coloradans. Many of the provisions of the bill reflect work DRCOG staff has been involved in with the governor’s office and other aging advocates and providers. This includes the creation and operation of the Strategic Action Planning Group on Aging and Lifelong Colorado. DRCOG staff also has been involved in the drafting of the bill and amendments. <ul style="list-style-type: none"> • The bill was amended to address DRCOG’s concerns regarding clarifying the authority of the Commission and the relationship between the new State Office on Aging and the area agencies on aging. DRCOG staff testified in support of the bill as amended. 	DRCOG supports state legislative and regulatory provisions reinforcing collaboration between the state and area agencies on aging and respecting their respective roles and interests, consistent with state and federal laws; and collaboration and partnerships to better meet the service needs of older adults consistent with DRCOG’s responsibilities as an area agency on aging and an aging and disability resource center.

Bill No. / Sponsor	Short title Bill summary	Status	Staff comments	DRCOG position Legislative policy
SB22-079	Dementia Training Requirements Colorado Department of Public Health and Environment Department of Health Care Policy and Financing Rules			Support
Kolker and Ginal/Young	The bill requires the Department of Public Health and Environment to adopt rules requiring nursing care facilities and assisted living residences to provide dementia training for staff providing direct-care services to clients and residents of the facilities.	House Public and Behavioral Health and Human Services	According to the Alzheimer's Association, Colorado falls short of other states and the association's standards regarding dementia training for its direct care workforce. The state's current laws and regulations are vague and do not require a sufficient skill and knowledge level for staff. Training requirements vary among care settings, so a person living with dementia can experience varying levels of care quality. The proposal is to standardize training requirements for all direct care staff who are most likely to care for individuals living with dementia.	DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers. In particular, DRCOG supports legislation that strengthens the role of long-term care ombudsman and Program of All-Inclusive Care for the Elderly ombudsman as resident and consumer advocates. DRCOG urges the state, when making decisions regarding funding for long-term care programs, to structure funding to protect the quality of care for residents and participants, including funding for optimal ombudsman staffing.

TRANSPORTATION BILLS

SB22-144	Public and Nonprofit Entities Rideshare Contracts			Support
Zenzinger	Current law regulates transportation network companies (commonly known as ride-sharing companies) and the services they provide. Current law exempts services provided under a contract between a ride-sharing company and a school, a school district, the federal government, a state, a political subdivision of a state or a tax-exempt entity. The bill removes these exemptions, so that ride-sharing companies that contract with these entities will be regulated in the same manner as other types of ride-sharing companies and services.	Senate Transportation and Energy	DRCOG staff is researching this bill for possible effects on the transportation services the DRCOG Area Agency on Aging contracts with ride-sharing companies. The proponents are concerned that the public utilities statute includes conflicting language regarding the regulation of transportation network companies' services provided under agreements with tax-exempt entities. For instance, Area Agency on Aging's contracts with HopSkipDrive for transportation services. Staff is working to determine if the proponents' concern that the Colorado Public Utilities Commission could determine that won't regulate that service because it involves an agreement with a tax-exempt entity and that such a finding could jeopardize the contract with the Area Agency on Aging.	DRCOG supports improvements to transportation services provided to older adults and vulnerable populations to reduce administrative and service duplication; increase coordination among funding sources, providers, jurisdictions and trips; and efficiently uses taxpayer dollars to provide life-sustaining mobility.
HB22-1026	Alternative Transportation Options Tax Credit			Support with amendments
Bird and Woog/ Hansen and Liston	The bill replaces an existing income tax deduction for expenses incurred by employers when providing alternative transportation options to employees with a refundable income tax credit of 50% of such expenses for such employers. The credit is allowed for income tax years beginning on or after Jan. 1, 2023, but before Jan. 1, 2033.	House Appropriations	<p>This bill replaces an existing employer income tax deduction for alternative mode provisions (such as carpool vehicles and transit passes) with an employer income tax credit for these items. Transportation demand management programs, projects and services can help reduce congestion and improve air quality by decreasing the amount of automobile traffic during high-demand periods. DRCOG sees transportation demand management as an important element of the region's long-range growth management and transportation planning strategy.</p> <ul style="list-style-type: none"> The bill was amended to expand the definition of "alternative transportation options" to include provision of ride-sharing vans or low-speed conveyances such as human-powered or electric bicycles, shared micromobility options such as bikesharing and electric scooter sharing programs, carsharing programs, and guaranteed ride home programs. The bill now also applies to nonprofit organizations. 	To promote transportation demand management efforts, DRCOG supports a coordinated regionwide effort (Way to Go) to promote and encourage adoption of non-single-occupant-vehicle travel options; active transportation to encourage healthier travel choices, including bicycling and walking; transit; telecommuting, flextime and other changes to normal work patterns to avoid peak traffic conditions; carpooling, vanpooling and other forms of ride-sharing including the underlying technologies to facilitate matches; employer promotion of alternative mode use by employees; and incentives to individuals who use alternative modes. DRCOG also supports funding for programs that provide transportation for access to jobs for low-income workers who cannot afford to live near where they work, and for safe routes to schools.

Bill No. / Sponsor	Short title Bill summary	Status	Staff comments	DRCOG position Legislative policy
HB22-1028 Gray and Hooton/ Winter	Statewide Regulation of Controlled Intersections The bill amends existing statute to make the substantive requirements for "safety stops" uniform statewide for most persons approaching a controlled intersection who are not operating a motor vehicle. Such persons include pedestrians (approaching a controlled intersection with a stop sign) and operators of low-speed conveyances, as defined in the bill (approaching a controlled intersection with a stop sign or a traffic control signal). The regulation of persons approaching controlled intersections is declared to be a matter of mixed state and local concern, and the amended statute is thus declared to supersede any conflicting local ordinance or resolution but not to affect the validity of any nonconflicting local ordinance or resolution that regulates the conduct of persons approaching controlled intersections. The bill does not create any right for a pedestrian or the operator of a low-speed conveyance to travel on any portion of a roadway where travel is otherwise prohibited by state law or a local ordinance or resolution.	Senate Transportation and Energy	Existing statute allows a municipality or county to adopt an ordinance or resolution specifying that a person riding a bicycle, electrical assisted bicycle, or electric scooter may make a "safety stop," rather than a full stop, under certain circumstances when approaching an intersection that is controlled by a stop sign or a traffic control signal as follows: When approaching a stop sign, if it is safe to proceed, the person may, after slowing to a reasonable speed of 15 mph or less, or 10 or 20 mph or less if so specified by municipality or county for a particular intersection and marked with appropriate signage, and yielding the right-of-way to any traffic or pedestrian in or approaching the intersection, continue through the intersection without stopping; When approaching an illuminated red traffic control signal, the person must first stop at the intersection and yield to all other traffic and pedestrians and then, when safe to do so, may proceed straight or make a right turn through the intersection or, subject to specified conditions, make a left turn onto a one-way street only. <ul style="list-style-type: none"> The bill was amended to address DRCOG proposals to add an education effort to explain the new law and reduce the maximum safe speed to proceed through a stop sign to 10 mph. 	Support with amendments DRCOG supports legislation that promotes efforts to fund, maintain and expand a multimodal transportation system. DRCOG also supports measures to improve safety for users of alternative modes, especially pedestrians and bicyclists.
HB22-1138 Gray and Herod/Winter and Hansen	Reduce Employee Single-Occupancy Vehicle Trips For income tax years 2023-2029, the bill would create an income tax credit (50% of the amount spent by the employer) for any employer that: Creates a clean commuting plan; conducts an employer commuter survey; and offers two or more alternative transportation options. The bill requires the Colorado Department of Transportation in coordination with the Colorado Energy Office to create an annual commuter survey for employers. In specified calendar years, employers with over 100 employees are required to: Annually conduct a commuter survey; offer qualified transportation fringe benefits; offer commuter choice information; and offer a cash allowance in place of a parking space. Beginning state fiscal year 2023-24, through state fiscal year 2029-30, from the Multimodal Transportation and Mitigation Options Fund, the Transportation Commission is required to allocate \$250,000 to transportation management associations and transportation management organizations operating in a nonattainment area to assist employers in creating a clean commuting plan and complying with the requirements of the bill.	House Finance — postponed indefinitely	This bill may be seen as an alternative to the proposed Air Quality Control Commission rule that failed last summer. Unlike that rule, though, it includes a tax credit as an incentive for employers. As noted, the bill also authorizes \$250,000 to a transportation management association/transportation management organization to assist employers in creating a clean commuting plan and complying with the requirements of the bill. The DRCOG Board of Directors proposes that metropolitan planning organizations should also receive funding for work on clean commuting plans and comply with the requirements of the bill. Although the bill summary says the bill requires the Colorado Department of Transportation, "in coordination with the Colorado Energy Office and metropolitan planning organizations, to create an annual commuter survey," the bill language does not include metropolitan planning organizations in requiring coordination. The Board proposes the bill language be amended to add metropolitan planning organizations to the commuter survey development.	Amend To encourage transportation demand management efforts, DRCOG supports a coordinated regionwide effort in Way to Go to promote and encourage adoption of non-single-occupant-vehicle travel options; active transportation to encourage healthier travel choices, including bicycling and walking; transit; telecommuting, flextime and other changes to normal work patterns to avoid peak traffic conditions; carpooling, vanpooling and other forms of ride-sharing including the underlying technologies to facilitate matches; employer promotion of alternative mode use by employees; and incentives to individuals who use alternative modes. DRCOG also supports funding for programs that provide transportation for access to jobs for low-income workers who cannot afford to live near where they work, and for safe routes to schools.

Bill No. / Sponsor	Short title Bill summary	Status	Staff comments	DRCOG position Legislative policy
SB22-016 Scott	Modifying Department of Transportation Governance The membership of the Transportation Commission currently consists of 11 members appointed by the governor with the consent of the senate from statutorily designated districts. If the bill is approved by the voters of the state at the November 2022 general election, on Feb. 1, 2025, section 2 of the bill will replace the current membership of the commission with nine members elected at the November 2024 general election, one from each congressional district of the state and one from the state at large. Thereafter, whenever the number of congressional districts in the state is odd, the membership of the commission consists of one member elected from each congressional district of the state, and whenever the number of congressional districts in the state is even, the membership of the commission consists of one member elected from each congressional district of the state and one member elected from the state at large.	Senate Transportation and Energy — Postponed Indefinitely	This bill would replace the existing process where members of the Transportation Commission are appointed by the governor with members elected by congressional district (some exceptions). The elected Commission would appoint the Colorado Department of Transportation executive director, who would serve at the pleasure of the Commission.	Monitor DRCOG supports several principles regarding the role of the metropolitan planning organization in the transportation planning process, including legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests, and legislation to ensure that representation on the Transportation Commission reflects approximately equal populations based on the most recent population census.
SB22-138 Hansen/ A. Valdez	Reduce Greenhouse Gas Emissions in Colorado The bill requires insurance companies to prepare and file an annual report with the insurance commissioner providing a climate-risk assessment for the insurance company's investment portfolio from the previous 12 months. The commissioner is required to post the reports on the Division of Insurance's website. Requires Public Employees' Retirement Association of Colorado board to prepare a similar annual report and post it on the Requires Public Employees' Retirement Association of Colorado website. Updates the statewide greenhouse gas emission reduction goals to add a 40% reduction goal for 2028 compared to 2005 pollution levels and a 75% reduction goal for 2040 compared to 2005 pollution levels. The bill phases out the use of small off-road engines by prohibiting their sale in nonattainment areas of the state on or after Jan. 1, 2030, and by providing financial incentives to promote the replacement of small off-road engines with electric-powered, small off-road equipment before 2030. The bill establishes a state income tax credit of 30% of the purchase price for new, electric-powered, small off-road equipment for purchases made in income tax years 2023 through 2029.	Senate Transportation and Energy	Climate-risk assessment is defined as a determination of the economic and business risks that climate change poses to an investment. A small off-road engine is defined as a gasoline-powered engine of 50 horsepower or less used to fuel small off-road equipment like lawnmowers and leaf blowers. The bill also addresses the Colorado Oil and Gas Conservation Commission's authority over class VI injection; requires the Colorado Agricultural Commission to conduct a study examining carbon reduction and sequestration opportunities; and includes several provisions to support the use of agrivoltaics, which is the colocation of solar energy generation facilities on a parcel of land with agricultural activities. DRCOG staff believes the "small engine" (gas-powered lawn equipment) provision would improve air quality and decrease greenhouse gas emissions in the Denver region. DRCOG staff are uncertain about how adding 2028 and 2040 greenhouse gas reduction targets to those established in HB19-1261 (reduction from 2005 levels of 26% (2025), 50% (2030), 90% (2050)) would affect the Greenhouse Gas Pollution Reduction Roadmap and the recently adopted transportation greenhouse gas rule, including the required DRCOG analysis.	Monitor DRCOG supports those efforts that contribute to the achievement of Metro Vision's regional outcomes and encourages state and regional entities to align their policies and investment decisions with Metro Vision and other regional agreements to advance shared objectives. This includes among the outcomes for safe and resilient natural and built environment that the region has clean water and air, and lower greenhouse gas emissions. DRCOG also supports efforts to reduce emissions from all sources sufficient to meet federal air quality standards, and alternative fuel sources and clean-burning technology and provision of infrastructure and services for alternative fuels.