

BOARD UPDATE



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LEGISLATIVE SUMMARY (as of Feb. 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 Feb. 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 comprised 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.	Senate Health and Human Services	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 increasing 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. It currently is scheduled to be heard in committee on Feb. 4. DRCOG is working with other stakeholders to clarify language in the bill regarding the authority of the Commission and the relationship between the new State Office on Aging and the area agencies on aging. <i>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.</i>	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 Support
SB22-079 Kolker and Ginal/Young	Dementia Training Requirements Colorado Department of Public Health and Environment Department of Health Care Policy and Financing Rules The bill requires the Department of Public Health and Environment — with regard to nursing care facilities and assisted living residences — and the Medical Services Board in the Department of Health Care Policy and Financing — with regard to adult day care facilities — to adopt rules requiring these facilities to provide dementia training for staff providing direct-care services to clients and residents of the facilities.	Senate floor	According to the Alzheimer's Association, Colorado falls short of other states and the association's standards regarding dementia training for our direct care workforce. Our current laws and regulations are vague and do not sufficiently require a level of skill and knowledge needed for staff to provide a quality level of care for Coloradans living with dementia. Training requirements also vary among care settings, so a person living with dementia can experience varied levels of care quality during their journey with the disease. The Alzheimer's Association proposes standardizing 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 and legislation strengthening the role of the long-term care ombudsman and Program of All-inclusive Care for the Elderly ombudsman as consumer advocates. DRCOG urges the state, when making decisions regarding funding for long-term care programs, to structure such funding to protect the quality of care for residents and participants, including funding for optimal ombudsman staffing.

TRANSPORTATION BILLS

HB22-1026 Bird and Woog/ Hansen and Liston	Alternative Transportation Options Tax Credit 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	This bill replaces an existing employer income tax deduction for alternative mode provisions (carpool vehicles, transit passes, etc.) 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. <i>The bill was amended to expand the definition of "alternative transportation options" to include provision of ridesharing 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.</i>	Support with amendments 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 ridesharing 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.
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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.	House floor	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 miles per hour or less, or 10 or 20 miles per hour 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. <i>The bill was amended to address DRCOG requests to add an educational effort to explain the new law and to reduce the allowed speed through a red light to 10 miles per hour.</i>	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 & Herod/ Winter & Hansen	Reduce Employee Single-Occupancy Vehicle Trips For income tax years 2023 through 2029, creates 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 lieu 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 association and transportation management organization operating in a nonattainment area to assist employers in creating a clean commuting plan and complying with the requirements of the bill.	House Finance	This bill may be seen as an alternative to the proposed Air Quality Control Commission rule that failed last summer. Unlike the AQCC rule, however, this bill 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 proposes that metropolitan planning organizations also should receive funding for work on clean commuting plans and complying 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.	Monitor/Amend To encourage 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 ridesharing 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.

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SB22-016 Scott	Modifying Department Of Transportation Governance The membership of the transportation commission (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 9 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.