

Legislative update



As of April 19, 2023: 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 April 19, 2023. 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.
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.



Support



Support with amendments




Amend








Oppose








Monitor


Bill No. / sponsor	Short title Bill summary	Status	Staff comments	DRCOG position Legislative policy
Aging bills				
Senate Bill 23-002 Mullica and Simpson/McCluskie and Bradfield 	Medicaid Reimbursement for Community Health Services The bill authorizes the Department of Health Care Policy and Financing, after obtaining stakeholder input, to seek federal authorization from the Centers for Medicare and Medicaid Services to provide Medicaid reimbursement for community health worker services.	House floor	Frontline public health workers who serve as a liaison between health care or social service providers and community members to facilitate access to physical, mental, or dental health-related services, or services to combat social determinants of health would be paid for their services under Medicaid.	Support DRCOG supports increased funding for programs providing services to older adults, individuals with disabilities, veterans and their caregivers, especially services that support individuals continuing to live independently in their homes and communities.

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Senate Bill 23-031 Danielson and Cutter 	Improve Health-Care Access for Older Coloradans The bill creates the multidisciplinary health care provider access training program to improve health care for older or compromised Coloradans and for care that may be medically complex and costly. The program coordinates and expands geriatric training opportunities for clinical health profession graduate students enrolled in higher education to become advanced practice providers; dentists; nurses; occupational therapists; pharmacists; medical doctors, doctors of osteopathy; physical therapists; psychologists; social workers; and speech-language therapists. Students successfully completing the program may become trainers for the program in clinics across the state.	House Appropriations Committee	This bill is similar to Senate Bill 22-189, which DRCOG supported. It is intended to increase the number of geriatric trained clinicians to begin to fill the shortage (there are only 99 currently) of geriatric physicians in Colorado. Studies have shown treatment by geriatric-trained interdisciplinary teams improve care and reduce the length of hospital stays and readmission rates were reduced. The University of Colorado Anschutz is to develop, implement and administer the program. The program may be offered to Colorado institutions of higher education with clinical health professions graduate degree programs.	Support DRCOG supports collaboration and partnerships to better meet the service needs of older adults consistent with DRCOG's responsibilities as an area agency on aging and as an aging and disability resource center.
Senate Bill 23-064 Gardner and Ginal/Snyder 	Continue Office of Public Guardianship The bill extends the office indefinitely (administered under a memorandum of understanding with the Colorado Judicial Branch); requires it to operate in every judicial district in the state by Dec. 31, 2027; establishes a new board of directors to oversee the office; clarifies the office's duties; provides for the office to employ guardians who must be certified or become certified within two years and provide training to the guardians; establishes requirements for a court consideration of petitions for guardianship.	House Judiciary Committee	The DRCOG Board of Directors supported House Bill 17-1087, which established the office as a pilot project. Under existing law, the Office of Public Guardianship is authorized to serve indigent and incapacitated adults in need of guardianship in three judicial districts and is scheduled to repeal on June 30, 2024. Currently, services are provided only in the City and County of Denver due to limited funding (\$1.7 million annually). The fiscal note indicates an increase in funding of about \$6 million phased in over three years.	Support DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers.
House Bill 23-1243 Amabile/Moreno 	Hospital Community Benefit The bill makes changes to the hospital community benefit and imposes certain requirements on the public presentation of each hospital's community implementation plan and reporting of the plan.	Senate floor	The bill was heavily amended in committee, including an amendment requested by DRCOG staff. The amendment clarifies that hospital investments in the "social determinants of health" include spending on individuals' needs. The bill will open up options for funding services such as meals, transportation and housing.	Support DRCOG supports collaboration and partnerships to better meet the service needs of older adults consistent with DRCOG's responsibilities as an area agency on aging and as an aging and disability resource center.

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Transportation bills				
<p>Senate Bill 23-016</p> <p>Hansen/ McCormick and Sirota</p> 	<p>Greenhouse Gas Emission Reduction Measures</p> <p>The bill requires large insurance companies to complete the National Association of Insurance Commissioners' Insurer Climate Risk Disclosure Survey; requires the Colorado Public Employees Retirement Association to include as part of its annual investment stewardship report, a description of climate-related investment risks, impacts and strategies; updates the statewide greenhouse gas emission reduction goals to add a 65% reduction goal for 2035, an 80% reduction goal for 2040, a 90% reduction goal for 2045 and a 100% reduction goal for 2050; establishes a state income tax credit of 30% of the purchase price for new, electric-powered lawn equipment for purchases made in income tax years 2024 through 2026 for a seller of such lawn equipment that demonstrates it provided a purchaser a 30% discount from the purchase price. Also has provisions related to waster thermal energy, Oil and Gas Conservation Commission authority over class VI injection wells, net metering and transmission lines.</p>	<p>House Finance Committee</p>	<p>Staff recommend amending the bill to remove the proposed changes to the greenhouse gas emission reduction goals.</p> <p>House Bill 19-1261 established greenhouse gas reduction targets from 2005 levels of: 26% (2025), 50% (2030) and 90% (2050). Adding horizon years and increasing the 2050 reduction target to 100% in statute will require new Colorado Department of Transportation rulemaking relative to the transportation greenhouse gas reduction targets because Senate Bill 21-260 added language (Colorado Revised Statute 43-1-128) that requires the Transportation Commission of Colorado to adopt rules that require the state and metropolitan planning organizations to "...reduce greenhouse gas emissions to help achieve the statewide greenhouse gas pollution reduction targets established in section 25-7-102 (2)(g);"</p> <p>Every additional horizon year adds more work and analysis and if we demonstrate achieving the reduction targets in the current horizon years (2025, 2030, 2040 and 2050) there is little value to adding more interim horizon years (2035 and 2045).</p>	<p>Amend</p> <p>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 a 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.</p>
<p>House Bill 23-1101</p> <p>Vigil and Bacon/ Winter</p> 	<p>Ozone Season Transit Grant Program Flexibility</p> <p>The bill increases the flexibility of the ozone season by allowing a transit agency that operates in an area in which ozone levels are typically highest during a different period than June 1 to Aug. 31 to designate that period for its ozone season; allows a grant recipient to retain grant money it does not spend in the year in which it is received for use in a subsequent year; clarifies a grant recipient may use a grant for reasonable marketing expenses, and to expand free services or free routes or increase the frequency of service on routes for which free service is already offered; allows the Regional Transportation District to use a grant to cover the full costs, rather than up to 80%, of providing at least 30 days of free transit. By Sept. 1, requires the governing body of transportation planning organizations to include at least one voting representative of a transit agency that provides service in the transportation planning region.</p>	<p>Passed both houses</p>	<p>DRCOG staff obtained clarification that DRCOG's metropolitan planning organization process with the existing Regional Transportation District representation on the Regional Transportation Committee meets the requirements of the bill for transit agency voting representation on the transportation planning organization governing body.</p>	<p>Support</p> <p>DRCOG supports efforts to reduce emissions from all sources sufficient to meet federal air quality standards; transportation and land use strategies that improve air quality in the region; and incentives to individuals to use alternative modes.</p>

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<p>House Bill 23-1123</p> <p>Lindsay/ Bridges</p> 	<p>Move Over or Slow Down Stationary Vehicle</p> <p>Current law requires a motor vehicle driver to move to one lane apart from a stationary vehicle when two lanes move in the same direction and the driver is able to move to the lane apart. Current law also requires drivers to move to one lane apart when one of the following vehicles is stationary on the road: an authorized emergency vehicle; a stationary towing carrier vehicle; a stationary public utility service vehicle; or a vehicle to which chains are being applied. If a vehicle cannot move to be one lane apart from the stationary vehicle, the vehicle must slow down and drive at a safe speed. The bill adds the same requirement for stationary motor vehicles that are displaying flashing hazard lights or warning lights and clarifies that the law applies to public utility service vehicles operated by the public utility or by an authorized contractor of the public utility.</p>	<p>Signed by the governor</p>	<p>DRCOG staff believes this bill supports Vision Zero goals as contained in DRCOG’s board adopted “Taking Action on Regional Vision Zero” plan establishes a goal to eliminate traffic deaths and severe injuries on the transportation system with proactive, preventive approaches.</p>	<p>Support</p> <p>DRCOG supports efforts to improve the safety of the traveling public – drivers, transit riders, pedestrians and bicyclists.</p>
Housing bills				
<p>Senate Bill 23-001</p> <p>Zenzinger/ Roberts and Bird/ Lukens</p> 	<p>Authority of Public-Private Collaboration Unit for Housing</p> <p>The bill would authorize the Public-Private Collaboration Unit in the Colorado Department of Personnel and Administration to undertake additional functions in connection with public projects that provide housing including accepting gifts, grants and donations to be credited to the state-owned Real Property Fund. The bill would authorize utilizing revenue from real estate transactions and public-private agreements. The bill would authorize the unit to act as an agent on behalf of the state in real estate transactions using real property, including for the purchase, transfer, exchange, sale and disposition, and lease of real property. The bill would establish a process for using requests for information to solicit public projects. The bill also allows the unit to use money from the fund to facilitate these additional functions in connection with public projects that provide housing and for the standard operating expenses of the unit.</p>	<p>House Appropriations Committee</p>	<p>House Bill 21-1274 required the Department of Personnel to conduct an inventory of unused state-owned real property. With that inventory in hand, the agency would then determine if the land would be suitable for affordable housing, childcare, public schools, residential mental and behavioral health care; for placement of renewable energy facilities; or for any other purposes. That inventory revealed 44 vacant parcels and 68 empty buildings that could be repurposed. Most of the vacant land is owned by the state’s public colleges and universities. The bill authorizes \$13 million for the public-private partnerships to build affordable housing on state-owned land.</p>	<p>Support</p> <p>DRCOG supports diverse housing options that meet the needs of residents of all ages, incomes and abilities; 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.</p>

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<p>Senate Bill 23-035</p> <p>Bridges and Moreno/ Herod</p> 	<p>Middle-Income Housing Authority Act</p> <p>The bill clarifies the power of the Colorado Middle-Income Housing Authority to enter into public-private partnerships by specifying that: the affordable rental housing component of a public-private partnership is exempt from state and local taxation; a public-private partnership may provide for the transfer of the interest in an affordable rental housing project to an entity other than the authority; the authority may issue bonds to finance the affordable rental housing component in a public-private partnership; and bonds issued by the authority may be payable from the revenue and assets of the affordable rental housing component of a public-private partnership or solely from the revenue or assets of the authority as current law requires.</p>	<p>Legislative Council</p>	<p>Senate Bill 22-232 established the Middle-Income Housing Authority with the power to make and enter into contracts or agreements with public or private entities to facilitate public-private partnerships. The Middle-Income Housing Authority is a statutory public entity for promoting affordable rental housing projects for middle-income workforce housing by acquiring, constructing, rehabilitating, owning, operating and financing affordable rental housing projects. The authority receives revenue from the issuance of affordable housing bonds, and the ownership of affordable housing properties and other assets.</p>	<p>Support</p> <p>DRCOG supports diverse housing options meet the needs of residents of all ages, incomes and abilities; 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.</p>
<p>House Bill 23-1115</p> <p>Mabrey and Velasco/ Rodriguez</p> 	<p>Repeal Prohibition Local Residential Rent Control</p> <p>As amended in the House of Representatives, the bill repeals statutory provisions prohibiting counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property or a private residential housing unit (rent control) and sets various guidelines for the enactment of rent control policies.</p>	<p>Senate Local Government and Housing Committee</p>	<p>The bill does not establish “rent control.” The effect of its passage would be to remove the prohibition against any local jurisdiction choosing to adopt laws to control or stabilize rents; and as amended, to require any rent control provision to follow certain statutory guidelines.</p>	<p>Monitor</p> <p>The DRCOG Board of Directors has adopted numerous policies to support local actions that promote an increased supply of housing and of affordable housing but not a policy specific to rent control.</p>
<p>House Bill 23-1255</p> <p>Lindstedt and Dickson/ Gonzales</p> 	<p>Regulating Local Housing Growth Restrictions</p> <p>The bill declares that the state has an interest in encouraging housing growth statewide, preempts any existing local housing growth restriction and forbids the enactment or enforcement of any future local housing growth restriction, unless the local government has experienced a disaster emergency.</p>	<p>Passed the House of Representatives</p>	<p>Staff is supportive of proposed amendments being offered by Colorado Counties, Inc. (also supported by the Colorado Municipal League) to, one, remove the definitions of “anti-growth law” and “land use law” and simply state the prohibition and, two, remove language that precludes “temporary moratoria” as currently allowed by law.</p>	<p>Oppose</p> <p>DRCOG supports the use of comprehensive/ master plans as the foundation for local land use decision-making.</p>

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Senate Bill 23-213 Moreno/ Jodeh and Woodrow 	<p>Land Use</p> <p>The bill establishes a process to diagnose and address housing needs across the state, addressing requirements for the regulation of accessory dwelling units, middle housing, transit-oriented areas, key corridors and manufactured and modular homes, prohibiting certain planned unit development resolutions, prohibiting a local government from enforcing certain occupancy limits, modifying the content requirements for county and municipal master plans, prohibiting certain municipalities from imposing minimum square footage requirements for residential units, requiring entities to submit a completed and validated water loss audit report to the Colorado Water Conservation Board, prohibiting a unit owners' association from prohibiting certain kinds of housing, requiring the transportation commission and the Department of Transportation to modify the state highway access code, criteria for certain grant programs, and expenditures from the multimodal transportation options fund to align with state strategic growth objectives, and making an appropriation.</p>	Senate Appropriations Committee	<p>The bill was considered by the Senate committee during a 12-hour hearing on April 6, the day after the DRCOG Board of Directors adopted its position to oppose the bill. DRCOG Executive Director Doug Rex testified before the committee summarizing the reasons for the Board's opposition.</p> <p>Since the date of this report, the committee has met to act on numerous amendments to the bill.</p>	<p>Oppose</p> <p>DRCOG supports the use of comprehensive/ master plans as the foundation for local land use decision-making.</p>