



Final Legislative Report | May 8, 2014

Bill: [HB14-1001](#)

Title: Tax Credit For Prop Destroyed By A Natural Cause

Position Support

House Sponsors [J. Singer](#) (D)

Senate Sponsors [J. Nicholson](#) (D)

Official
Summary

Beginning in the 2013 income tax year, the bill establishes an income tax credit for a taxpayer that owns real or business personal property that was destroyed by a natural cause as determined by the county assessor of the county in which the property is located. The amount of the credit is an amount equal to the taxpayer's property tax liability for the destroyed property in the property tax year in which the natural cause occurred. A taxpayer is allowed to claim the credit only for the income tax year during which the property was destroyed. The bill requires the executive director of the department of revenue (department) to create a certification form to be used by a county assessor to certify to the department, at the request of a taxpayer, that the taxpayer's property was destroyed by a natural cause and that the taxpayer is entitled to an income tax credit. The bill specifies the information that shall be included on the certification form for real or business personal property that was destroyed by a natural cause. The department is required to make the certification form available to taxpayers and county assessors on the department's web site and by any other means deemed necessary by the department. Before claiming an income tax credit, the bill requires a taxpayer to request that the county assessor in the county in which the destroyed property is located complete and sign a certification form for the destroyed property that is the basis of the income tax credit. The county assessor is required to complete and sign the certification form upon such request and the taxpayer is required to submit the completed and signed certification form to the department with the taxpayer's income tax return.

The amount of the credit allowed that exceeds the taxpayer's income taxes due is refunded to the taxpayer.

House Committee	Finance
Senate Committee	Finance
Hearing Date	
Status	Senate Third Reading Passed with Amendments - Floor (05/07/2014)
Fiscal Notes	Fiscal Notes (05/06/2014)
Comment	

Bill: [HB14-1017](#)

Title:	Expand Availability Of Affordable Housing
Position	Strongly Support
House Sponsors	C. Duran (D)
Senate Sponsors	J. Ulibarri (D)

Official Summary	<p>In connection with the existing housing investment trust fund, the bill:</p> <ul style="list-style-type: none"> • Changes the name of the fund from the home investment trust fund to the housing investment trust fund (trust fund); • Expands the sources of moneys that may be used to support the trust fund to include any moneys made available by the general assembly, all moneys collected by the division of housing (division) for the purpose of the trust fund from federal grants and from contributions, other grants, gifts, bequests, and donations received from any other organization, entity, or individual, public or private, and any fees or interest earned on such moneys; • Clarifies that the division is authorized and directed to solicit, accept, expend, and disburse all moneys collected for the trust fund from the various public and private sources identified in the bill for the purpose of making, not just loans as under existing law, but also loan guarantees, and for program administration. The bill specifies that any moneys in the trust fund at the end of any fiscal year do not revert to the general fund and that moneys in the trust fund are continuously appropriated to the division for the purposes specified in statute. • Under current law, upon the approval of the state housing board, the division is authorized to make a loan from
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moneys in the trust fund to any local housing authority, public nonprofit corporation, or private nonprofit corporation for development or redevelopment costs incurred prior to the completion or occupancy of low- or moderate-income housing or for the rehabilitation of such housing. The bill deletes the enumeration of the entities entitled to borrow such moneys and also eliminates the requirement that such loan moneys may be used for development or redevelopment costs incurred prior to the occupancy of low- or moderate-income housing; and

- Permits the division to charge the borrower an origination fee for loans made from the trust fund. The fee must be used for direct and indirect costs associated with the administration of the trust fund.

In connection with the existing housing development grant fund (fund), the bill:

- Expands the permissible uses of moneys in the fund to include program administration;

- Strikes existing language authorizing the division to make a grant or loan from the fund to finance foreclosure prevention activities, which has been repealed effective June 30, 2011;

- Eliminates the requirement that the borrower is required to seek replacement loans or funding no later than 180 days from the date of the loan; and

- Under current law, not more than \$250,000 may be appropriated from the general fund in any one state fiscal year for any uses not related to construction grants or loans. The bill changes this requirement so that not more than 20% of the balance of moneys in the fund calculated as of July 1 of any state fiscal year may be appropriated from the general fund in any one state fiscal year for any housing-connected uses not related to construction grants or loans.

The bill also deletes obsolete language in existing statutory provisions governing the 2 funds.

In connection with the existing state low-income housing tax credit, the bill adds as a requirement for establishment of the credit that, where the qualified development contains 100 or more total residential units, at least 10% of the residential units in the development must be occupied by qualified residents. Where the qualified development contains less than 100 total residential units, not less than 15% of the total

number of residential units in the development must be occupied by qualified residents. Qualified resident means an occupant of a residential unit in a qualified development whose household income is not more

than
30% of the adjusted median income of the area in which the qualified development is located.

House
Committee Local Government

Senate
Committee Finance

Hearing Date

Status Sent to the Governor (04/30/2014)

Fiscal Notes [Fiscal Notes](#) (03/17/2014)

Comment

Bill: [HB14-1074](#)

Title: Allowable Expenses Renting Tax Exempt Property

Position Support

House Sponsors [L. Court](#) (D)
[B. DelGrosso](#) (R)

Senate Sponsors [M. Johnston](#) (D)

Real property that is owned and used by a nonprofit entity is generally exempt from the levy and collection of property tax. The nonprofit owner is allowed to lease the property to another nonprofit entity without losing the exemption as long as the amount received by the owner does not exceed one dollar plus the reasonable expenses incurred in operating and maintaining the property. The bill specifies the following

Official
Summary to be included as expenses incurred in operating and maintaining the property:

- Depreciation;
- Long-term maintenance expenses;
- Capital expenses dedicated to refurbishing the property;

and

- Expenses incurred to allow the property to conserve energy, water, or other natural resources.

House
Committee Finance

Senate
Committee Finance

Hearing Date

Status Governor Signed (03/14/2014)

Fiscal Notes [Fiscal Notes](#) (02/20/2014)

Comment

Bill: [HB14-1075](#)

Title: Deferral Unemployment Insurance Benefits

Position Monitor

House Sponsors [J. Melton](#) (D)

Senate Sponsors [L. Tochtrop](#) (D)

Official Summary The bill reduces the deferral of unemployment insurance benefits to claimants who, while on unemployment, accept work and then separate from that work because it is unsuitable within 30 days after accepting the work and apply again for unemployment insurance benefits. The current deferral penalty is 10 weeks. The bill reduces the deferral period in these situations to the period of time the claimant worked prior to the separation.

House Committee Business, Labor, Economic, & Workforce Development

Senate Committee

Hearing Date

Status House Committee on Business, Labor, Economic, & Workforce Development Postpone Indefinitely (02/25/2014)

Fiscal Notes

Comment A business issue re unemployment benefits. Included FYI, not a HC issue.

Bill: [HB14-1093](#)

Title: Establish Creative District Community Loan Fund

Position Support

House Sponsors [C. Duran](#) (D)

Senate Sponsors [L. Newell](#) (D)

Official Summary The bill establishes the creative district community loan fund. The fund consists of moneys appropriated or transferred to the fund by the

general assembly, matching moneys received by the creative industries division of the office of economic development (division) from any community development finance institution with which the division enters into a memorandum of understanding regarding contributions to the fund, and any other moneys contributed to the fund by any foundation

or other public or private person. Subject to annual appropriation by the general assembly, a maximum loan amount limitation, and a matching moneys requirement, the division may make loans or loan guarantees from the creative district community loan fund to any person who is developing, constructing, or redeveloping commercial real estate, mixed-use projects, or community facilities within a state-certified creative district that will support the purposes or growth of the district. The division may retain up to 5% of the moneys appropriated or transferred to the fund by the general assembly for administrative costs, and any unexpended and unencumbered moneys from an appropriation made by the general assembly from the fund remain available for expenditure by the division in the next fiscal year without further appropriation.

House Committee	Business, Labor, Economic, & Workforce Development
Senate Committee	Business, Labor, & Technology
Hearing Date	
Status	House Considered Senate Amendments - Result was to Concur - Repass (05/02/2014)
Fiscal Notes	Fiscal Notes (04/22/2014)
Comment	

Bill: [HB14-1130](#)

Title: Foreclosure Cure Remit Unpaid Fees To Borrower

Position Support

House Sponsors [B. McCann](#) (D)

Senate Sponsors [J. Ulibarri](#) (D)

Official Summary

Current law is silent on when and how fees for court filings, published notices, and other costs of foreclosure are to be calculated and paid and, if overpaid, refunded. The bill specifies that all costs and fees charged to a borrower must be accurately accounted for and that any overpayments based on prepayments or estimates must be promptly refunded to the borrower.

House Committee Local Government
 Senate Committee Local Government
 Hearing Date
 Status Sent to the Governor (04/30/2014)
 Fiscal Notes [Fiscal Notes](#) (02/19/2014)
 Comment

Bill: [HB14-1141](#)

Title: Confidentiality Social Security Numbers
 Position Monitor
 House Sponsors [D. Coram](#) (R)
 Senate Sponsors [E. Roberts](#) (R)

The bill:

- Prohibits an entity with a board of directors, including an advisory board, from requiring an unpaid member of the board to disclose his or her social security number to the entity in order to serve as a member of the board;
- Makes it unlawful for the state or any local government to deny an individual a right, benefit, or privilege provided by law because the individual refuses to disclose his or her social security number;
- Requires the state or any local government that requests an individual to disclose his or her social security number to inform the individual whether the disclosure is mandatory or voluntary, by what statutory or other authority the social security number is solicited, and what uses will be made of the individual's social security number; and
- Clarifies that Colorado's statute on confidentiality of social security numbers does not apply with respect to patient information for entities subject to the federal Health Insurance Portability and Accountability Act of 1996.

Official Summary

House Committee State, Veterans, & Military Affairs
 Senate Committee Judiciary
 Hearing Date
 Status Governor Signed (04/18/2014)

Fiscal Notes [Fiscal Notes](#) (03/12/2014)

Comment

Bill: [HB14-1163](#)

Title: Clarify Enterprise Zone Investment Tax Credit Cap

Position Monitor

House Sponsors [D. Hullinghorst](#) (D)

Senate Sponsors [R. Heath](#) (D)

Official Summary

The bill amends language added during the 2013 legislative session that could interfere with the general assembly's intent in adopting House Bill 13-1142. The intent stated in committee hearings regarding the bill and noted correctly in the fiscal note was that the amount of the enterprise zone investment tax credit that a taxpayer may claim in any year be limited to \$750,000 per year beginning in tax year 2014. Credits earned on and after tax year 2014 over the \$750,000 limit were intended to be allowed as a carryforward in future tax years for 14 years (or 22 years for renewable energy investments as determined in Senate Bill 13-286). Credits carried forward from tax years before 2014 were to be exempt from the \$750,000 limit.

In error, the statute allows the amount of the credits earned on and after tax year 2014 over the \$750,000 limit to be added to the \$750,000 limit in future tax years. This was not the intent and would render the \$750,000 cap ineffective.

House Committee Finance

Senate Committee Finance

Hearing Date

Status Governor Signed (03/27/2014)

Fiscal Notes [Fiscal Notes](#) (02/11/2014)

Comment

Bill: [HB14-1165](#)

Title: Private Construction Contract Retainage & Payments

Position Oppose

House Sponsors [R. Fischer](#) (D)

Senate Sponsors	L. Tochtrop (D)
	The bill requires property owners who contract for improvements to real property to: <ul style="list-style-type: none"> • Pay 95% of the amount due, which limits the amount retained to ensure the quality of work to 5%; and • Pay subcontractors the retainage after the work is finally accepted.
Official Summary	If a person fails to make required payments, the person must pay interest and is liable for attorney fees. These requirements are enforceable in court. Contractual provisions that do not comply with the requirements are unenforceable. A statute of limitations to enforce the bill is set for one year.
House Committee	Business, Labor, Economic, & Workforce Development
Senate Committee	
Hearing Date	
Status	House Committee on Business, Labor, Economic, & Workforce Development Postpone Indefinitely (02/27/2014)
Fiscal Notes	Fiscal Notes (02/05/2014)
Comment	
Bill:	HB14-1189
Title:	Ease Plumbing License Requirements In Rural Areas
Position	Monitor
House Sponsors	J. Sonnenberg (R)
Senate Sponsors	G. Brophy (R)
Official Summary	Under current law, all plumbing work must be performed by or under the supervision of a licensed plumber and is subject to inspection when completed. The bill relaxes the licensure requirement, but not the need for inspection, in a county with a population of 30,000 or less.
House Committee	State, Veterans, & Military Affairs
Senate Committee	

Hearing Date

Status House Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/17/2014)

Fiscal Notes [Fiscal Notes](#) (02/17/2014)

Comment

Bill: [HB14-1254](#)

Title: Limit HOA Transfer Fees & Late Payment Penalties

Position Monitor

House Sponsors [J. Labuda](#) (D)

Senate Sponsors [D. Balmer](#) (R)

Official

Summary

The bill requires a licensed community association manager who performs services for a homeowners' association (HOA) through employees or subcontractors to fully disclose to the HOA, during contract negotiations and annually thereafter, all fees and charges that the manager will bill to the HOA for services performed by those employees or subcontractors.

House

Committee

Business, Labor, Economic, & Workforce Development

Senate

Committee

Local Government

Hearing Date

Status Governor Signed (04/18/2014)

Fiscal Notes [Fiscal Notes](#) (02/14/2014)

Comment

Bill: [HB14-1272](#)

Title: Certification Of Home Inspectors

Position Monitor

House Sponsors [J. Labuda](#) (D)

Senate Sponsors

Official

Summary

Under current law, home inspectors are not subject to regulation by any state agency. The bill requires home inspectors, on or before July 1, 2015, to be certified by the director of the division of real estate in the

department of regulatory agencies (director). The director is required to establish standards and procedures for the certification, education, examination, denial of certification, suspension, revocation, reinstatement, and renewal of certification of home inspectors. The director is also required to establish application, certification, and recertification fees, as well as fees for any classes offered or examinations administered by the division of real estate to home inspection applicants or certificate holders.

House Committee Business, Labor, Economic, & Workforce Development

Senate Committee

Hearing Date

Status House Committee on Business, Labor, Economic, & Workforce Development Postpone Indefinitely (02/25/2014)

Fiscal Notes [Fiscal Notes](#) (02/24/2014)

Comment

Bill: [HB14-1295](#)

Title: Foreclosure Loan Single Contact No Dual Tracking

Position Support

House Sponsors [B. McCann](#) (D)

Senate Sponsors [J. Ulibarri](#) (D)

Official Summary The bill requires a lender to establish a single point of contact for a borrower to communicate with the lender concerning foreclosure matters within 45 days after the borrower becomes delinquent in payments. The bill also prohibits dual tracking, in which a lender simultaneously negotiates with the borrower for a loan modification and pursues foreclosure through the public trustee.

House Committee Business, Labor, Economic, & Workforce Development

Senate Committee Judiciary

Hearing Date

Status Sent to the Governor (04/30/2014)

Fiscal Notes [Fiscal Notes](#) (03/28/2014)

Comment

Bill: [HB14-1311](#)

Title: Job Creation & Main Street Revitalization Act

Position: Support

House Sponsors: [T. Dore](#) (R)
[L. Garcia](#) (D)Senate Sponsors: [P. Steadman](#) (D)
[L. Crowder](#) (R)

For income tax years commencing on or after January 1, 2015, but prior to January 1, 2019, **section 1** of the bill creates a new income tax credit to be claimed by an owner of a historic property for recovery of certain costs related to preserving the property. Among the provisions, section 1 also:

- Requires the governor's office of economic development and international trade (office), in consultation with the state historical society (society), to develop standards for the approval of the substantial rehabilitation of qualified structures for which the new tax credit is being claimed;
- Requires the owner of the structure to submit an application and rehabilitation plan to the office for a qualified commercial structure or to a certified local government or the society (reviewing entity) for a qualified residential structure, along with an estimate of the certified rehabilitation expenditures under the rehabilitation plan.

Official
Summary

Within 90 days after receipt of the application and rehabilitation plan, the office and the society or reviewing entity, as applicable, are required to notify the owner if the rehabilitation plan will result in a certified rehabilitation.

- Authorizes the office or the reviewing entity to impose a reasonable application fee and issuance fee for either a commercial or residential structure and specifies the amount of the particular fee that may be imposed;
- In the case of a qualified commercial structure, requires the office and society to review the application and rehabilitation plan to determine that the information contained in the application and plan is complete. If the office and society determine that the documentation is complete, the office is required to reserve for the benefit of the owner an allocation of a tax credit and to notify the owner in writing of the amount of the reservation. The reservation of tax credits does not entitle the owner to an issuance of any tax credits until the owner complies with

all of the other requirements specified in the bill for the issuance of the tax credit.

- Requires the office to reserve tax credits in the order in which it receives completed applications and rehabilitation plans. The office must issue any such reservation of tax credits within a reasonable time, not to exceed 90 days from the filing of a completed application and rehabilitation plan. The office is required to use a lottery process to determine the order in which it will review applications and plans received on the same day. An owner may resubmit a disapproved application and plan, but the resubmitted application and plan is deemed to be a new submission.

- If, for any one state fiscal year, the aggregate amount of reservations for tax credits the office has approved is equal to the total amount of tax credits available for reservation during that state fiscal year, requires the office to notify all owners who have submitted applications and plans then awaiting approval or submitted for approval after the calculation is made that no additional approvals of applications and plans for reservations of tax credits will be granted during that fiscal year;

- Specifies that no reservation of tax credits is necessary in the case of a qualified residential structure;

- Requires any owner receiving a reservation of tax credits to commence rehabilitation of the qualified commercial structure, if rehabilitation has not previously begun, within 18 months of the date of issuance of the written notice from the office to the owner granting the reservation of tax credits. Any owner receiving such reservation is required to incur not less than 20% of the estimated costs of rehabilitation not later than 18 months after the date of issuance of the written notice. If the office determines that an owner has failed to comply with this requirement, the office may rescind the issuance of tax credits previously given the owner.

- Following the completion of a rehabilitation of a qualified commercial structure, requires the owner to notify the office that the rehabilitation has been completed and to certify the qualified rehabilitation expenditures incurred by the owner under the rehabilitation plan. The bill requires both the office and the society to review the documentation of the rehabilitation and the society to verify that the documentation satisfies the rehabilitation plan. Within 90 days after receipt of this documentation, the office is required to issue a tax credit certificate geared to the

amount of qualified rehabilitation costs incurred.

- Specifies that the total amount of the tax credit certificate issued for any particular project must not exceed the amount of the tax credit reservation issued for the project. The amount of a tax credit certificate to be issued for any one qualified commercial structure is limited to \$2 million total.

- Following the completion of a substantial rehabilitation of a qualified residential structure, requires the owner to notify the reviewing entity that the substantial rehabilitation has been completed and to certify the qualified rehabilitation expenditures incurred in connection with the rehabilitation plan. The owner is also required to provide the reviewing entity with a cost and expense certification. The reviewing entity is required to review the documentation of the rehabilitation and verify its compliance with the rehabilitation plan. Within 90 days after receipt of the documentation from the owner, the reviewing entity is required to issue a tax credit certificate in an amount equivalent to 20% of the actual qualified rehabilitation expenditures; except that the bill limits the amount of the tax credit certificate to \$50,000 for each qualified residential structure to be calculated over a 10-year rolling period.

- Requires the tax credit amount to be increased for a certified commercial or residential structure that is located in a disaster area;

- In order to claim the tax credit, requires the owner to file the tax credit certificate with the owner's state income tax return;

- Specifies requirements under which a local government is permitted to act as a reviewing entity;

- Specifies that the entire tax credit to be awarded may be claimed by the owner in the taxable year in which the certified rehabilitation is placed in service. If the amount of the credit allowed exceeds the amount of income taxes otherwise due in the income tax year for which the credit is being claimed, the bill permits the owner to offset the amount of the credit not used in the income tax year to be carried forward as a credit against subsequent years' income tax liability for a period not to exceed 10 years. Any amount of the credit that is not used after such period is not refunded to the owner.

- Specifies certain limits that the aggregate amount of all tax credits in any tax year that may be reserved by the office upon the certification of all rehabilitation plans must not

exceed;

- Specifies that the commercial tax credits are freely transferable and assignable subject to certain requirements;
- Requires the owner to refund to the department of revenue (department) certain amounts if the owner demolishes or makes material changes to the structure;
- Permits the owner to appeal any final determination made by the office or the department in connection with the tax credit;
- Permits the department to audit any credit obtained, and requires the office, in consultation with the department, to submit an annual report to the general assembly on the impact to the state of the tax credit and to promulgate any rules necessary to implement the tax credit.
- Creates in the state treasury the tax credit for qualified costs incurred in the preservation of historic structures fund (fund) and specifies that the source of moneys for the fund is moneys transferred from the capital construction fund.
- Requires the department to notify the state treasurer when a tax credit has been claimed and, upon such notification, requires the state treasurer to transfer the amount of the tax credit claimed from the fund.

Section 2 of the bill requires a 4-year annual transfer of \$15 million from the capital construction fund, commencing with the 2015-16 state fiscal year and concluding with the 2018-19 state fiscal year.

House
Committee

Finance

Senate
Committee

Hearing Date

Status

House Considered Senate Amendments - Result was to Concur - Repass (05/06/2014)

Fiscal Notes

[Fiscal Notes](#) (04/25/2014)

Comment

Bill: [HB14-1312](#)

Title:

Continue Foreclosure Deferment Program

Position

Support

House Sponsors

[A. Williams](#) (D)

Senate Sponsors

[J. Ulibarri](#) (D)

Official Summary The bill continues the existing foreclosure deferment program, which is scheduled to expire in 2014, until 2015.

House Committee Business, Labor, Economic, & Workforce Development

Senate Committee Judiciary

Hearing Date

Status Sent to the Governor (05/01/2014)

Fiscal Notes [Fiscal Notes](#) (03/14/2014)

Comment

Bill: [HB14-1336](#)

Title: 2014-15 Long Appropriation Bill

Position Monitor

House Sponsors [C. Duran](#) (D)

Senate Sponsors [P. Steadman](#) (D)

Official Summary

House Committee Appropriations

Senate Committee Appropriations

Hearing Date

Status Senate Consideration of the First Conference Committee Report result was to Adhere (04/14/2014)

Fiscal Notes

Comment

Bill: [HB14-1355](#)

Title: Reentry Programs For Adult Parolees

Position Support

House Sponsors [D. Kagan](#) (D)
[B. Gardner](#) (R)

Senate Sponsors [L. Guzman](#) (D)
[S. King](#) (R)

Official Summary	<p>On and after July 1, 2014, the department of corrections (department) shall develop and implement initiatives specifically designed to decrease recidivism, enhance public safety, and increase each offender's chances of achieving success upon his or her release to the community.</p> <p>Subject to appropriations, on and after July 1, 2014, the department shall:</p> <ul style="list-style-type: none"> • Develop and implement initiatives specifically designed to assist offenders in a correctional facility to prepare for release to the community; • Develop and implement initiatives specifically designed to assist each offender's transition from a correctional facility into the community; and • Make necessary operational enhancements and develop and implement initiatives specifically designed to ensure that the department has the proper equipment, training, and programs to properly supervise offenders in the community to enhance public safety. <p>On and after January 1, 2015, the department shall develop and implement a grant program to provide funding to eligible community-based organizations that provide reentry services to offenders in the community. On or before January 1, 2015, the executive director shall develop policies for the administration of the grant program. The grant program is repealed, effective September 1, 2018. Before such repeal, the department of regulatory agencies shall conduct a sunset review of the grant program.</p> <p>On and after January 1, 2016, during its annual presentation before the joint judiciary committee of the general assembly, or any successor joint committee, the department shall include a status report regarding the progress and outcomes of reentry planning and program initiatives developed and implemented by the department during the preceding year.</p>
House Committee	Judiciary
Senate Committee	Judiciary
Hearing Date	
Status	Senate Third Reading Passed - No Amendments (05/05/2014)
Fiscal Notes	Fiscal Notes (04/23/2014)
Comment	

Bill: [HB14-1375](#)

Title: Urban Redevelopment Fairness Act

Position Oppose

House Sponsors [B. DelGrosso](#) (R)

Senate Sponsors [L. Tochtrop](#) (D)
[S. King](#) (R)

The bill makes the following modifications to the Urban Renewal Law:

- If the municipality in which an urban renewal authority (authority) that has been established is not a city and county, **section 1** of the bill requires at least one such commissioner of the authority to be appointed by the board of county commissioners of each county in which an urban renewal project undertaken by the authority is located.
- In the case of the special fund established for the collection of taxes to implement tax increment financing by the authority, upon the payment of all bond debt, **section 2** of the bill requires all funds remaining in the special fund to be repaid to each public body pro rata in accordance with the percentages of taxes paid into the special fund and not previously rebated to the public body.
- Section 2 also specifies that the percentage of property tax increment revenues of any public body that may be allocated to the authority in connection with tax increment financing must not exceed the percentage of municipal sales tax revenues allocated to the authority under the provisions of the urban renewal plan, as originally approved and as it may be later modified, except that:
 - The allocation may be modified by means of an agreement with any such public body;
 - Any exemptions, rebates, or repayments paid or to be paid to the municipality must be excluded in determining the percentage of municipal sales tax increment revenue allocated to the authority; and
 - Any moneys either that the municipality pays to the authority for the project by the municipality or any public body in advance of the allocation of moneys to the authority or that are spent by a private entity for which the municipality has agreed in writing to reimburse the entity with sales tax revenue collected in the area of the urban renewal project must be included in the determination of the applicable percentages.

Official
Summary

House Committee	Finance
Senate Committee	Judiciary
Hearing Date	
Status	Senate Third Reading Passed - No Amendments (05/07/2014)
Fiscal Notes	Fiscal Notes (05/06/2014)
Comment	

Bill: [SB14-010](#)

Title: Manufactured Home Communities

Position Support

House Sponsors [R. Fischer](#) (D)

Senate Sponsors [J. Kefalas](#) (D)

Official
Summary

The bill makes the following changes to the Mobile Home Park Act (act):

- Changes the name of the act to the Manufactured Home Communities Act, generally changes the names of the terms mobile home and mobile home park in the act to manufactured home and manufactured home community, respectively, and changes references in the act to landlord to owner or management;
- Requires service of a notice to quit to be personally served upon the owner of the manufactured home. If personal service on the home owner has been attempted without success, the bill further requires service of the notice to quit to be affixed to the main entrance of the home in a conspicuous place and also mailed by means of United States mail to the address of the home as specified in the lease or rental agreement.
- In connection with an action for termination, requires service of the summons to be either personally served upon the home owner; or, if such service has been attempted without success, requires the service to be conspicuously affixed to the home and also mailed to the home address. The bill also requires the home owner to be given not less than 30 days to respond to a summons, with any subsequent court hearing scheduled for not less than 30 days after the home owner has been served with the summons.
- Permits the owner or management of the manufactured home community to increase the rent not more than once

each year commencing on the anniversary of the date the home owner executed the lease or rental agreement and only where the owner or management of the community gives the home owner 90 days' notice in writing of the proposed rent increase. The bill permits the owner or management of the manufactured home community to communicate the basis for the rent increase by written notice.

- In connection with a right to cure noncompliance with the lease or rental agreement, specifies that the time of the cure period is 30 days;

- In the case of an eviction action, extends the period from the time of the ruling in which the home owner has to remove the home and vacate the premises from 48 hours to 5 days. The bill reinstates the home owner's tenancy if the home owner pays to the owner the total amount of rent due and owing along with all court costs incurred by the landlord as of the date of the judgment within 5 days of judgment being entered.

- Prohibits a tenancy or other estate at will or lease in a manufactured home community from being terminated solely because of the completion of a fixed period. If the home owner cures any of the statutory reasons for termination, the home owner's tenancy will be reinstated.

- Specifies that its provisions do not prevent the owner of a manufactured home community from charging a reasonable selling fee or transfer fee for services actually performed and agreed to in writing by the home owner. In approving or disapproving the prospective purchaser's tenancy in the manufactured home community, the bill requires the owner of the manufactured home community to apply the same standards as it would apply to a prospective resident who was not purchasing a home from an existing resident. The approval may not be unreasonably withheld and any disapproval must be in writing.

- Specifies that the standard rental agreement is for a fixed period of not less than one year in duration. The bill permits an initial rental agreement for a fixed tenancy to be for more than one year in order to ensure continuity with a standard anniversary date and provides a home owner who desires to occupy his or her home lot for a term other than one year in duration an option to request the terms of the rental agreement be on a month-to-month basis or for a term longer than one year.

- Specifies that the rules and regulations of the manufactured home community apply to on-site managers and other

live-in agents of the community owner;

- Prohibits an owner or management of a manufactured home community from making a final unconditional acceptance of any offer for the sale or transfer of a manufactured home community without first giving 90 days' notice that the owner or management of the community intends to sell the community. The bill specifies requirements pertaining to the means of delivery, contents, and recipients of the notice.

- During the required notice period, requires the owner or management of the manufactured home community to consider any reasonable offer to purchase the community that has been made by an association of such home owners or a cooperative formed by such home owners as long as the association or cooperative is open to all home owners. The bill requires the owner to consider any reasonable offer made by an association or cooperative representing the home owners and negotiate in good faith with them. If an agreement to purchase the community is reached during the 90-day notice period, the bill gives the association or cooperative a reasonable time beyond the 90-day period, if necessary, to obtain financing for the purchase. The bill permits a homeowners' association or cooperative to assign any rights such owners possess to the municipality or county, as applicable, in which the community is located, a local housing authority, or a local nonprofit entity specializing in the provision or preservation of affordable housing.

- If the owner or management of the manufactured home community intends to change the use of the land comprising the manufactured home park community, requires the owner or management to give written notice to each home owner at least 24 months before the change in use will occur. This contrasts with a notice period of 180 days under existing law. The bill specifies the contents of the notice and the means of serving the notice.

- In the alternative to giving written notice to the home owner of 24 months for a change in the use of the land, permits the owner or management of the manufactured housing community to pay to any home owner, at the election of the home owner, either the home owner's actual relocation costs or the appraised value of the home. The bill specifies the required components of relocation costs and how the appraised value of the manufactured home is determined. The bill specifies when payment of the appraised value or the estimated relocation costs, as

applicable, must be made to the home owner.

- In order to assist associations or cooperatives of owners of homes within manufactured home communities with efforts to purchase their communities, permits various entities to provide technical assistance to the associations or cooperatives or to the owners of homes within such communities who are seeking to form an association or a cooperative. The bill specifies the means by which the technical assistance may be provided.

- Specifies that its terms do not create a right of first refusal on the part of the residents of a manufactured home community. Relevant provisions of the bill provide such residents advance notice that the real property underneath their homes is to be sold and an opportunity to compete to purchase it.

- Specifies that any deadline in the act may be extended upon mutual consent of the parties to the transaction;

- Treats a manufactured home as real property where the owner of the home has elected to treat the home as real property in accordance with existing statutory provisions addressing the titling of manufactured homes regardless of whether the real property underlying the home is owned by the home owner in fee simple or is subject to a land lease.

House
Committee

Senate
Committee

Judiciary

Hearing Date

Status Senate Committee on Judiciary Postpone Indefinitely (02/19/2014)

Fiscal Notes [Fiscal Notes](#) (01/14/2014)

Comment

Bill: [SB14-014](#)

Title: Prop Tax Rent Heat Fuel Grants For Low-income

Position Support

House Sponsors [B. Pettersen](#) (D)

Senate Sponsors [J. Kefalas](#) (D)

Official
Summary

Economic Opportunity Poverty Reduction Task Force.
Beginning with grants claimed for 2014, the bill modifies the real property tax assistance grants, which includes grants for property tax,

specific ownership tax, or tax equivalent payments, (**Section 1** of the bill)

and heat or fuel expenses assistance grants (**Section 4**) for low-income seniors and individuals with disabilities as follows:

- Increases the maximum real tax property expense assistance grant from \$600 to \$700;
- For claims made for 2014, increases the income limits for grant eligibility from approximately \$12,639 to \$14,937 for individuals and from approximately \$16,935 to \$20,163 for married couples; and
- Establishes flat minimum grant amounts for any eligible individual or married couple of \$227 for the real property tax expense assistance grant and \$73 for the heat or fuel expenses assistance grant, assuming that the actual expenses exceed these amounts.

Section 2 clarifies the executive director of the department of revenue's responsibilities for preparing grant application forms and related instructions, and it permits the executive director to develop an electronic form to supplement the paper forms.

Section 3 repeals the requirement that the department of revenue mail copies of the grant forms to county departments of social services and public and private pensions. This mailing is replaced with a requirement that the department of human services conduct specific types

of outreach related to the grant. On or before July 1, 2015, the department

of human services is required to report about the outreach to the public health care and human services committee of the house of representatives

and the health and human services committee of the senate. The

department of human services outreach efforts do not affect the department of revenue's responsibility to create the grant forms and pay the grants. The departments are required to share information.

If the department of revenue incorrectly pays a grant as a result of a departmental mistake, **section 5** permits the executive director of the department to waive the reimbursement of the grant and any interest or penalties that accrue.

House
Committee

Public Health Care & Human Services

Senate
Committee

Health & Human Services

Hearing Date

Status

House Third Reading Passed - No Amendments (05/05/2014)

Fiscal Notes

[Fiscal Notes](#) (04/25/2014)

Comment

Bill: [SB14-022](#)

Title: Community Development Financial Institutions

Position Support

House Sponsors [R. Fields](#) (D)Senate Sponsors [J. Kefalas](#) (D)Official
Summary

Economic Opportunity Poverty Reduction Task Force. Section 1 of the bill authorizes public funds to be invested in any security that is a general obligation of a community development financial institution (CDFI) as long as the institution is registered to operate and in good standing with the office of the Colorado secretary of state. Section 1 of the bill also specifies the conditions under which a security issued by a CDFI may be purchased using public funds.

Section 2 of the bill amends the definition of qualified holder in connection with statutory provisions governing foreclosure sales to include any entity with active certification under the United States department of the treasury certified community development financial institutions fund that originates, insures, guarantees, or purchases loans or a person acting on behalf of such an entity to enforce an evidence of debt or the deed of trust securing an evidence of debt.

Section 3 of the bill further allows the entities covered in section 2 of the bill to present a request for full or partial release of collateral pledged without presentation of the original promissory note.

House
Committee FinanceSenate
Committee Finance

Hearing Date

Status Governor Signed (04/07/2014)

Fiscal Notes [Fiscal Notes](#) (03/21/2014)

Comment

Bill: [SB14-073](#)

Title: Brownfield Contaminated Land Income Tax Credit

Position Support

House Sponsors [C. Gerou](#) (R)Senate Sponsors [C. Jahn](#) (D)

Official Summary	<p>From 2000 through 2010, there was a state income tax credit for taxpayers who conducted certain environmental remediation activities on property that was proposed for redevelopment. The bill reauthorizes the credit for a 9-year period commencing in 2014 as follows:</p> <ul style="list-style-type: none"> • The property can be located anywhere in the state; • The remediation need not be for property that will be redeveloped; • A formula for calculating the amount of the credit is specified; and • The credit may be transferred by a taxpayer to a transferee who may then claim the credit. <p>The taxpayer seeking the credit must obtain a certificate from the department of public health and environment certifying the accuracy of the costs of the clean up and that a clean up plan has been fully implemented. The credit can be carried forward for up to 5 years. Local governments and private nonprofit entities do not pay income taxes in the state but do incur expenses in conducting environmental remediation activities. Subject to the same terms and in the same amounts as the re-authorized credit allowed to taxpayers, the bill allows certain local governments and private nonprofit entities to transfer a portion of these expenses to transferees who may then claim the amounts as an income tax credit.</p>
House Committee	
Senate Committee	Business, Labor, & Technology
Hearing Date	
Status	House Third Reading Passed - No Amendments (05/01/2014)
Fiscal Notes	Fiscal Notes (04/15/2014)
Comment	
Bill:	SB14-078
Title:	Definition Community Residential Home For Benefits
Position	Support
House Sponsors	
Senate Sponsors	S. Renfroe (R)
Official	The bill allows a facility that provides services for persons with

Summary developmental disabilities and that consists of several small buildings within the same compound, each housing at least 4 but no more than 8 persons with developmental disabilities, to be licensed as multiple community residential homes for the purpose of applying for and receiving federal and state benefits, so long as all other requirements to receive such benefits are met by the individuals and the community residential home.

House
Committee

Senate
Committee

Health & Human Services

Hearing Date

Status

Senate Committee on Health & Human Services Postpone Indefinitely (02/26/2014)

Fiscal Notes

[Fiscal Notes](#) (01/17/2014)

Comment

Bill: [SB14-103](#)

Title:

Phase In High-efficiency Water Fixture Options

Position

Monitor

House Sponsors

[R. Fischer](#) (D)

Senate Sponsors

[L. Guzman](#) (D)

The bill defines a watersense-listed plumbing fixture as one that has been:

- Tested by an accredited third-party certifying body or laboratory in accordance with the federal environmental protection agency's WaterSense program;
 - Certified by such body or laboratory as meeting the performance and efficiency requirements of the program;
- and

Official

- Authorized by the program to use its label.

Summary

Current law requires water-efficient indoor plumbing fixtures in only three contexts:

- Builders of new single-family detached residences must offer the buyers toilets, faucets, and showerheads that meet the current standards of the WaterSense program;
- Tank-type water closets and flushometer toilets in new state buildings must meet certain standards that are either less stringent than or as stringent as the current WaterSense standards; and

- New construction and renovation of residential structures and office, commercial, or industrial buildings must meet standards that are less stringent than the current WaterSense standards.

Section 1 of the bill prohibits the sale of lavatory faucets, shower heads, flushing urinals, tank-type toilets, and tank-type water closets on and after September 1, 2016, unless they are a watersense-listed plumbing fixture. **Sections 2 through 5** amend or repeal conflicting portions of current law.

House Committee	Transportation & Energy
Senate Committee	Agriculture, Natural Resources, & Energy
Hearing Date	
Status	Sent to the Governor (05/02/2014)
Fiscal Notes	Fiscal Notes (02/12/2014)
Comment	Bill prohibits the sale but not the installation. Full discussion by HC, but not our issue for position.

Bill: [SB14-111](#)

Title:	Interstate Sale Small Employer Health Benefit Plan
Position	Monitor
House Sponsors	
Senate Sponsors	G. Brophy (R)

Official Summary	<p>The bill directs the insurance commissioner to approve for sale in Colorado a small employer health benefit plan approved in another state if:</p> <ul style="list-style-type: none"> • The insurer or its affiliate or subsidiary is authorized to transact business in Colorado and meets national association of insurance commissioners actuarial standards; • The insurer agrees that the commissioner and Colorado courts will have jurisdiction over any policy disputes; • The insurer complies with marketing requirements applicable to small employer carriers; • The commissioner ensures that the insurer's provider network is adequate; and • The insurer informs the commissioner if the policy will be priced the same in Colorado as in the other state. <p>The bill permits resident insurers to sell small employer health</p>
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benefit plans with the same benefits as an out-of-state plan offered in Colorado.

House
Committee

Senate
Committee

State, Veterans, & Military Affairs

Hearing Date

Status

Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/10/2014)

Fiscal Notes

[Fiscal Notes](#) (02/07/2014)

Comment

Bill: [SB14-118](#)

Title:

Protections For Individuals With Disabilities

Position

Monitor

House Sponsors

[J. Melton](#) (D)

Senate Sponsors

[P. Steadman](#) (D)

Official
Summary

The bill conforms several definitions related to discrimination based on a disability (discrimination) to the federal Americans With Disabilities Act of 1990, including changing the term assistance dog to service animal. The fine for discrimination in places of public accommodation, housing, and or violations of the rights of an individual with a disability who uses a service animal or a trainer of a service animal is increased to \$3,500. Penalties are added for a person who causes harm to a service animal or service animal in training or a person who owns an animal that causes harm to a service animal or service animal in training. The bill makes conforming amendments.

House
Committee

State, Veterans, & Military Affairs

Senate
Committee

Judiciary

Hearing Date

Status

Senate Considered House Amendments - Result was to Concur - Repass (05/05/2014)

Fiscal Notes

[Fiscal Notes](#) (04/22/2014)

Comment

Bill: [SB14-138](#)

Title: Civil Immunity For Volunteers At Emergencies

Position Support

House Sponsors [J. Sonnenberg](#) (R)
[M. Foote](#) (D)Senate Sponsors [J. Kefalas](#) (D)
[K. Lundberg](#) (R)

Official Summary Current law provides limited immunity for volunteer firefighters who provide services at the scene of an emergency. The bill extends the immunity to community volunteers and their organizations.

House Committee Local Government

Senate Committee State, Veterans, & Military Affairs

Hearing Date

Status Governor Signed (03/21/2014)

Fiscal Notes [Fiscal Notes](#) (03/03/2014)

Comment

Bill: [SB14-140](#)

Title: HOA No Lien Without Full CCIOA Applicability

Position Monitor

House Sponsors

Senate Sponsors [O. Hill](#) (R)

Official Summary The bill requires that, in order to establish or foreclose a lien for assessments, a homeowners' association must be subject to the entire Colorado Common Interest Ownership Act.

House Committee

Senate Committee State, Veterans, & Military Affairs

Hearing Date

Status Senate Committee on State, Veterans, & Military Affairs Postpone

Indefinitely (03/03/2014)
 Fiscal Notes [Fiscal Notes](#) (02/05/2014)
 Comment Keep on monitor list just to track this bill title for any amendments.

Bill: [SB14-216](#)

Title: State-level Affordable Housing Incentives

Position Monitor

House Sponsors

Senate Sponsors [J. Ulibarri](#) (D)

Official
 Summary

The bill requires the director of the division of housing (division) in the department of local affairs, or the director's designee (director), to design a proposal for state-level affordable housing incentives (incentives) to provide insurance premium rebates for developers that create multi-family, owner-occupied affordable housing.

The director is required to make the proposed incentives available to all interested parties for their input and comments and to confer with interested parties to make any necessary modifications to the proposed incentives. The director is required to present the proposed incentives to the state housing board for its approval and to implement the incentives upon such approval.

The bill creates the affordable housing incentive cash fund for the division to provide insurance premium rebates. The division is authorized

to seek and accept gifts, grants, or donations from private or public sources to provide the rebates.

The division is required to submit an annual report regarding the effectiveness of the incentives to the governor and the members of the general assembly.

House
 Committee

Senate
 Committee State, Veterans, & Military Affairs

Hearing Date

Status Senate Second Reading Lost - No Amendments (05/02/2014)

Fiscal Notes [Fiscal Notes](#) (04/29/2014)

Comment

Bill: [SB14-219](#)

Title:	Owner-occupied Affordable Housing Study
Position	Monitor
House Sponsors	M. Ferrandino (D)
Senate Sponsors	J. Ulibarri (D)
Official Summary	<p>The bill makes a legislative declaration regarding the shortage of new owner-occupied affordable housing in Colorado.</p> <p>The bill requires the division of housing in the department of local affairs, in consultation with other governmental and private-sector entities, to study and assemble data on the effects of certain factors on new owner-occupied affordable housing in Colorado. The bill requires the division to report to the general assembly on or before March 15, 2015.</p>
House Committee	
Senate Committee	State, Veterans, & Military Affairs
Hearing Date	
Status	Senate Committee on Appropriations Postpone Indefinitely (05/01/2014)
Fiscal Notes	Fiscal Notes (05/01/2014)
Comment	
Bill:	SB14-220
Title:	Common Int Community Arbitrate Const Defect Litig
Position	Support
House Sponsors	B. DelGrosso (R) J. Singer (D)
Senate Sponsors	M. Scheffel (R) J. Ulibarri (D)
Official Summary	<p>Section 1 of the bill states that when the declaration, bylaws, or rules of a common interest community require mediation or arbitration of construction defect claims and the requirement is later removed, mediation or arbitration is still required for a construction defect claim based on an alleged act or omission that occurred when the mediation or arbitration requirement was in place. Section 1 also specifies that the arbitration must take place in the judicial district in which the community</p>

is located and that the arbitrator must:

- Be a neutral third party;
- Make certain disclosures before being selected; and
- Be selected as specified in the community's governing

documents if possible or, if that is not possible, in accordance with the uniform arbitration act.

Section 3 adds to the disclosures required prior to the purchase and sale of property in a common interest community a notice that the community's governing documents may require binding arbitration of certain disputes.

Section 2 requires that before a construction defect lawsuit is filed on behalf of the association, the executive board of the association must give advance notice to all unit owners, together with a disclosure of the projected costs, duration, and financial impact of the litigation, and must obtain the written consent of a majority of the unit owners.

House
Committee

Senate
Committee

State, Veterans, & Military Affairs

Hearing Date

Status

Senate Committee on Judiciary Postpone Indefinitely (05/07/2014)

Fiscal Notes

[Fiscal Notes](#) (05/02/2014)

Comment