



Weekly Legislative Report for the week of February 26, 2018

**for bills introduced as of February 22, 2018*

Note: All positions on bills must be recommended by the Legislative Committee and ratified by Housing Colorado's Board of Directors. The next Housing Colorado Board Meeting will take place on March 15, 2018; therefore this bill report contains some recommended positions that have not been fully ratified.

Bill: [HB18-1013](#)

Title: Income Tax Credit For Endowment Contributions

Position Support

House Sponsors [A. Garnett](#) (D)

Senate Sponsors [K. Priola](#) (R)

Official Summary

The bill creates the Nonprofit Sustainability Act of 2018. For income tax years commencing on or after January 1, 2019, but prior to January 1, 2022, the bill allows an individual taxpayer to claim an income tax credit for a contribution of money to an eligible endowment fund that is equal to 25% of the contribution. An eligible endowment fund is defined in the bill as an endowment fund that is managed in accordance with the Uniform Prudent Management of Institutional Funds Act. A Colorado charitable organization that receives the donation is required to provide a credit certificate to the taxpayer, who must submit the certificate to the department of revenue along with his or her tax return. The maximum credit an individual may claim for an income tax year is \$5,000. Unused credits are not refunded and may not be carried forward. A taxpayer may not claim the credit if he or she claims any other state income tax credit for the same charitable contribution. The department of revenue is required to track all the credits claimed in each income tax year and, when the total amount of credits claimed equals twelve million dollars per income tax year, is required to disallow all subsequent credits claimed in that income tax year.

House Committee Finance

Senate Committee

Hearing Date

Hearing Room

Hearing Time

Status House Committee on Finance Refer Unamended to Appropriations



Housing Colorado
(01/31/2018)

Fiscal Notes [Fiscal Notes](#) (01/30/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1021](#)

Title: Task Force For Youth Experiencing Homelessness

Position Support

House Sponsors [E. Hooton](#) (D)

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

Official Summary The bill establishes the task force concerning youth who are experiencing homelessness (task force) to study and make recommendations on issues related to the issue of youth experiencing homelessness in Colorado. The membership of the task force is set forth, as well as reporting requirements and a repeal date. The bill makes conforming amendments to correct citations to an earlier relocation of the office of homeless youth services to the department of local affairs.

House Committee Public Health Care and Human Services

Senate Committee

Hearing Date 2018-02-23

Hearing Room Legislative Services Building Hearing Room A

Hearing Time 8:00 AM

Status House Committee on Appropriations Refer Amended to House Committee of the Whole (02/23/2018)

Fiscal Notes [Fiscal Notes](#) (01/29/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1054](#)

Title: Affordable Housing Plastic Shopping Bag Tax

Position Monitor



Housing Colorado

House Sponsors [P. Rosenthal](#) (D)

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

Contingent on prior voter approval, if a store that meets certain criteria provides any plastic shopping bags to a customer, then the store is required to collect a tax of 25 cents from the customer. The tax is the same regardless of the number of bags provided as part of a transaction, but does not apply if the customer is enrolled in the federal supplemental nutrition assistance program. The store is required to remit the tax revenue to the department of revenue (department) after keeping 1% of the taxes to cover the store's collection and remittance expenses. The department may require a store to make returns and payments electronically.

Official Summary

To comply with the Taxpayer's Bill of Rights (TABOR), a ballot issue about the plastic shopping bag tax is referred to the voters at the November 2018 election. If the voters reject the tax, then the entire article containing the tax is repealed. If the voters approve the tax, then the tax will be imposed beginning January 1, 2019.

The tax revenue is deposited in the general fund via the old age pension fund. Then, an amount equal to the department's administrative expenses is transferred to the newly created plastic shopping bag tax administration cash fund and the remainder of the tax revenue is deposited in the housing development grant fund. The division of housing in the department of local affairs is required to use the money in the housing development grant fund for the existing purposes of the fund, which is to improve, preserve, or expand the supply of affordable housing in Colorado.

House Committee Local Government

Senate Committee

Hearing Date

Hearing Room

Hearing Time

Status House Committee on Local Government Postpone Indefinitely (01/31/2018)

Fiscal Notes [Fiscal Notes](#) (01/29/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1067](#)

Title: Right To Rest Act



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Position Support

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

Senate Sponsors

Official Summary

The bill creates the Colorado Right to Rest Act, which establishes basic rights for persons experiencing homelessness, including, but not limited to, the right to use and move freely in public spaces, to rest in public spaces, to eat or accept food in any public space where food is not prohibited, to occupy a legally parked vehicle, and to have a reasonable expectation of privacy of one's property. The bill does not create an obligation for a provider of services for persons experiencing homelessness to provide shelter or services when none are available.

House Committee Local Government

Senate Committee

Hearing Date 2018-03-14

Hearing Room House Committee Room 271

Hearing Time 1:30 PM

Status Introduced In House - Assigned to Local Government (01/10/2018)

Fiscal Notes [Fiscal Notes](#) (02/09/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1084](#)

Title: County Lodging Tax Revenue Allowable Uses

Position Support

House Sponsors [M. Hamner](#) (D)
[D. Thurlow](#) (R)

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

Official Summary

Counties are currently authorized, with prior voter approval, to levy a county lodging tax for the purpose of advertising and marketing local tourism. The bill eliminates the requirement that the lodging tax be used for advertising and marketing local tourism. If a county already has a lodging tax that is limited to advertising and marketing local tourism, then the county would need prior voter approval to begin using



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the lodging tax revenues for any other purpose. The requirement that election costs be reimbursed from a county lodging tax tourism fund, which will no longer be the sole depository of the county tourism tax revenue, is discontinued.

House Committee

Finance

Senate Committee

Hearing Date

Hearing Room

Hearing Time

Status

House Committee on Finance Postpone Indefinitely (02/14/2018)

Fiscal Notes

[Fiscal Notes](#) (02/07/2018)

Comment

Votes

[Votes all Legislators](#)

Bill: [HB18-1107](#)

Title:

Prewire Residence For Electric Vehicle Charging Port

Position

Monitor

House Sponsors

[M. Weissman](#) (D)

Senate Sponsors

[K. Priola](#) (R)

Official Summary

Under existing law, builders must offer a solar prewire option to purchasers of certain newly constructed residences. The bill applies a similar requirement to facilitate the installation of electric vehicle charging systems by purchasers of new residences, both in traditional detached, single-family homes and also in buildings that contain owner-occupied condominium units.

House Committee

Transportation & Energy

Senate Committee

Transportation

Hearing Date

Hearing Room

Hearing Time



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Status Introduced In Senate - Assigned to Transportation (02/21/2018)

Fiscal Notes [Fiscal Notes](#) (02/06/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1125](#)

Title: Tax Credit Employer-assisted Housing Pilot Program

Position Support

House Sponsors [J. Wilson](#) (R)

Senate Sponsors

Official Summary

As a pilot program to promote employer-assisted housing projects in rural areas, for income tax years commencing on or after January 1, 2018, but prior to January 1, 2022, the bill creates a state income tax credit for a donation a taxpayer makes to a sponsor that is used solely for the costs associated with an employer-assisted eligible activity in a rural area. The bill defines sponsor to mean the Colorado housing and finance authority, a housing authority operated by a county or municipality, or a nonprofit corporation that has been designated as a community development corporation under the federal tax code.

The amount of the credit allowed by the bill is 20% of the approved amount of the donation as documented in a form and manner acceptable to the department of revenue (department); except that the aggregate amount of the credit awarded to any one taxpayer is limited to \$400 in any one income tax year.

If the amount of the credit allowed exceeds the amount of the taxpayer's income tax liability in the income tax year for which the credit is being claimed, the amount of the credit not used as an offset against income taxes in such income tax year is not allowed as a refund but may be carried forward and applied against the income tax due in each of the 5 succeeding income tax years, but must first be applied against the income tax due for the earliest of the income tax years possible. A taxpayer claiming the credit allowed by the bill is required to submit, maintain, and record any information that the department may require by rule regarding the taxpayer's donation to the sponsor, including the certificate received evidencing the donation. The bill specifies various verification procedures that the taxpayer and sponsor must follow for the taxpayer to be able to claim the credit.

The bill requires each sponsor that has issued certificates evidencing donations in a calendar year in the cumulative amount of \$10,000 or more to report to the general assembly by the deadlines specified in the bill on the overall economic activity, usage, and impact to the state from the employer-assisted eligible activity for which it has certified a donation eligible for a tax credit under the bill.

The bill requires the department and the division of housing within



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the department of local affairs (division) to promulgate any rules necessary to facilitate the effective implementation of this tax credit. The department and the division may each develop policies and procedures necessary to facilitate the effective implementation of the tax credit. The bill prohibits a taxpayer from claiming the tax credit under the bill for a donation for which the taxpayer is claiming any other state tax credit or deduction. By the deadlines specified in the bill, the division is required to provide the department with an electronic report on the taxpayers who have received a tax credit under the bill for the calendar year that conforms to the income tax year for which the credit is allowed. The bill specifies information the report must contain. The tax credit is repealed, effective July 1, 2032.

House Committee	Finance
Senate Committee	
Hearing Date	2018-02-26
Hearing Room	Legislative Services Building Hearing Room A
Hearing Time	1:30 PM
Status	Introduced In House - Assigned to Finance + Appropriations (01/19/2018)
Fiscal Notes	Fiscal Notes (02/23/2018)
Comment	
Votes	Votes all Legislators

Bill: [HB18-1126](#)

Title:	Limit Homeowners' Association Regulation Of Dogs By Size Or Breed
Position	Monitor
House Sponsors	P. Rosenthal (D)
Senate Sponsors	

Official Summary	In the law governing common interest communities, the bill invalidates any covenant that prohibits the keeping of certain types of dogs based solely on a breed, weight, or size classification. Other regulations, such as the prevention of nuisance barking and requirements concerning the number of dogs per household and the disposal of waste, remain valid.
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House	Local Government
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Committee

Senate
Committee

Hearing Date 2018-02-23

Hearing Room House Chamber

Hearing Time no specified time

Status House Second Reading Passed with Amendments - Committee
(02/23/2018)

Fiscal Notes [Fiscal Notes](#) (02/09/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1127](#)

Title: Residential Landlord Rental Application

Position Oppose

House Sponsors [C. Kennedy](#) (D)
[D. Jackson](#) (D)

Senate Sponsors [S. Fenberg](#) (D)

Official
Summary

The bill:

- Limits the fee to cover a landlord's costs for a personal reference check or for obtaining a consumer credit report or tenant screening report;
- Requires a landlord to provide each prospective tenant with written notice of the landlord's tenant selection criteria and the grounds upon which a rental application may be denied before accepting an application or collecting an application fee; and
- Requires a landlord to provide a prospective tenant with an adverse action notice if the landlord takes adverse action on a prospective tenant after reviewing the prospective tenant's rental application.

House Committee Finance

Senate
Committee

Hearing Date 2018-02-23

Hearing Room House Chamber



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Hearing Time no specified time

Status House Third Reading Laid Over to 02/26/2018 - No Amendments (02/23/2018)

Fiscal Notes [Fiscal Notes](#) (02/09/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1192](#)

Title: Application Assistance Federal Disability Benefits

Position Monitor

House Sponsors [L. Landgraf](#) (R)
[D. Michaelson Jenet](#) (D)

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

Official Summary

The bill creates a program to help persons with disabilities participating in the state aid to the needy disabled program navigate the application process for federal disability benefits, including supplemental security income and social security disability insurance. The program is provided by county departments of human or social services (county departments) and is administered by the state department of human services (state department). Funding for the program is distributed to county departments pursuant to an allocation formula determined by state department rules, after receiving input from counties, county representatives, and other relevant stakeholders. The bill includes the services that may be provided by county departments participating in the program. The services may include assistance with compiling and drafting supporting documentation for the application for federal disability benefits and in completing and submitting the application. The state department shall evaluate the program pursuant to the time frame set forth in the bill to determine if the program is meeting the program goals described in the bill. The bill creates the disability benefits application assistance fund (fund) and requires the state treasurer and controller to annually transfer to the fund money appropriated for the aid to the needy disabled programs that remains unencumbered and unexpended at the end of the fiscal year.

House Committee Public Health Care and Human Services

Senate Committee

Hearing Date 2018-03-06

Hearing Room House Committee Room 0107



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Hearing Time 1:30 PM

Status Introduced In House - Assigned to Public Health Care & Human Services (02/02/2018)

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1195](#)

Title: Tax Credit Contributions Organizations Affordable Housing

Position Support

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

Senate Sponsors [J. Tate](#) (R)

Official Summary

For income tax years commencing on or after January 1, 2019, but prior to January 1, 2030, the bill creates a state income tax credit for a donation of cash or securities a taxpayer makes to an eligible developer to be used solely for the costs associated with an eligible project. The bill defines eligible developer to mean, in part, a nonprofit community-based home ownership development organization that satisfies specified requirements relating to its background in the field of housing development and is developing or plans to develop the eligible project that is or will be receiving the donations for which the tax credits may be claimed. The bill defines eligible project to mean the development of new residential housing for home ownership consisting of one or more residential units constructed for sale to a buyer whose median income is 120% or less of the area median income and for which each unit sold is to be preserved as affordable housing by means of a specified deed restriction. In order to be designated as an eligible developer authorized to accept donations, a nonprofit community-based home ownership development organization must satisfy certain criteria as created and evaluated by the Colorado housing and finance authority (authority).

The amount of the credit allowed by the bill is 50% of the amount of the money or the value of the securities donated to the eligible developer as documented in a form and manner acceptable to the department of revenue (department); except that the aggregate amount of the credit awarded to any one taxpayer under the bill is limited to \$250,000 in any one income tax year. The aggregate amount of tax credits certified is limited to \$20 million for each of the January 1, 2020, through the January 1, 2029, tax years. If the amount of the credit allowed exceeds the amount of the taxpayer's income tax liability in the income tax year for which the credit is being claimed, the amount of the credit not used as an offset against income taxes in such income tax year is not allowed as a refund but may be carried forward and applied



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against the income tax due in each of the 5 succeeding income tax years, but must first be applied against the income tax due for the earliest of the income tax years possible. A tax credit allowed by the bill is neither transferable nor assignable to any other taxpayer. In order to claim the credit, the donation the taxpayer provides to obtain the credit must be accepted by the eligible developer to whom it has been given and certified by the authority. The authority is required to certify each donation. The authority completes certification by providing a certificate to the taxpayer in a format acceptable to the department evidencing that the certification requirements of the bill have been met. The authority is permitted to charge and collect an administrative fee from each applicant to recover program administration costs and expenses. A taxpayer claiming the credit must submit, maintain, and record any information that the department may require by rule regarding the taxpayer's donation to the eligible developer, including the certificate received from the authority. A taxpayer is required to electronically file with the department the certificate the taxpayer receives from the authority. The tax credit is repealed, effective July 1, 2040.

House Committee	Finance
Senate Committee	
Hearing Date	2018-02-26
Hearing Room	Legislative Services Building Hearing Room A
Hearing Time	1:30 PM
Status	Introduced In House - Assigned to Finance + Appropriations (02/05/2018)
Fiscal Notes	
Comment	
Votes	Votes all Legislators
Bill:	SB18-002
Title:	Financing Rural Broadband Deployment
Position	Monitor
House Sponsors	C. Duran (D) K. Becker (D)
Senate Sponsors	J. Sonnenberg (R) D. Coram (R)
Official Summary	Section 1 of the bill amends the definition of broadband network to increase the speed of downstream broadband internet service from



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at least 4 megabits per second to at least 10 megabits per second and the definition of unserved area to refer to areas that are unincorporated, or within a city with a population of fewer than 7,500 inhabitants, and that are not receiving federal broadband support.

Section 2 requires the public utilities commission, on January 1, 2019, to allocate 20% of the total amount of high cost support mechanism (HCSM) money that nonrural incumbent local exchange carriers would otherwise receive to the HCSM account dedicated to broadband deployment, and to allocate an additional 20% of the total money that nonrural incumbent local exchange carriers would otherwise receive on January 1 of each subsequent year until, on January 1, 2023, all of the money that nonrural incumbent local exchange carriers would otherwise receive is allocated to the HCSM account dedicated to broadband deployment. Section 2 also removes a requirement that the commission reduce the amount of the HCSM surcharge by a certain percentage of the money transferred from the HCSM to the broadband fund for the deployment of broadband into rural areas. Section 2 requires that the HCSM surcharge amount that existed on January 1, 2019, be maintained as the surcharge amount; except that, on and after July 1, 2023, the commission may reduce the rate to ensure that the amount of money collected by the surcharge does not exceed \$25 million per year. Finally, for the period of January 1, 2019, through January 1, 2023, section 2 maintains the amount of support received by rural telecommunications providers for basic service at the level of support they received on January 1, 2016.

Section 3 updates language regarding the use of money from the HCSM for broadband deployment grant applications approved by the broadband deployment board (board) to have money transferred directly from the HCSM to approved broadband deployment grant applicants. Section 3 also allows a grant applicant to apply for grants for multiple projects in a single year; however, the broadband deployment board may only award an applicant grants for more than one project if money is available for broadband deployment grants after the first round of broadband deployment grants have been awarded and disbursed in that year. Section 3 also prohibits the department of local affairs from implementing a broadband deployment program or approving a grant application concerning broadband deployment unless the board has determined that the program or application does not involve the same or

a duplicate of any projects approved and funded.

Section 4 repeals the public utilities commission's functions of administering the high cost support mechanism on September 1, 2024, subject to the department of regulatory agencies' review of the functions through its sunset review process.

House Committee	Agriculture, Livestock and Natural Resources
Senate Committee	Business, Labor and Technology
Hearing Date	2018-03-05
Hearing Room	House Committee Room 271



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Hearing Time	1:30 PM
Status	Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources (02/15/2018)
Fiscal Notes	Fiscal Notes (02/16/2018)
Comment	
Votes	Votes all Legislators

Bill: [SB18-005](#)

Title:	Rural Economic Advancement Of Colorado Towns
Position	Monitor
House Sponsors	D. Roberts (D)
Senate Sponsors	K. Donovan (D) R. Scott (R)

Official Summary	<p>The bill authorizes the executive director of the department of local affairs (executive director) or the executive director's designee to coordinate the provision of nonmonetary resources to assist with job retention or creation in a rural community experiencing a significant economic event, such as a plant closure or layoffs, including industry-wide layoffs, that has a significant, quantifiable impact on jobs within that community. The bill also authorizes the executive director or the executive director's designee to award money to qualifying rural communities experiencing a significant economic event and creates the rural economic advancement of Colorado towns fund (fund), to be administered by the executive director for grant-making purposes over the next 3 years. For the 2018-19, 2019-20, and 2020-21 state fiscal years, \$500,000 is transferred each year from the general fund to the fund and the money in the fund is continuously appropriated to the department of local affairs.</p>
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House Committee	Agriculture, Livestock and Natural Resources
Senate Committee	State, Veterans, and Military Affairs
Hearing Date	2018-03-05
Hearing Room	House Committee Room 271
Hearing Time	1:30 PM
Status	Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources (02/16/2018)
Fiscal Notes	Fiscal Notes (02/20/2018)



Comment

Votes [Votes all Legislators](#)

Bill: [SB18-006](#)

Title: Recording Fee To Fund Attainable Housing

Position Support

House Sponsors [F. Winter](#) (D)

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

Currently, each county clerk and recorder collects a surcharge of one dollar for each document received for recording or filing in his or her office. The surcharge is in addition to any other fees permitted by statute.

Section 2 of the bill allows counties to impose an increased surcharge in the amount of \$5 for documents received for recording or filing on or after January 1, 2019. In a county that has elected to collect the increased surcharge of \$5, out of each \$5 collected, the bill requires the clerk to retain one dollar to be used to defray the costs of an electronic or core filing system in accordance with existing law. The bill requires the clerk to transmit the other \$4 collected to the state treasurer, who is to credit the same to the statewide attainable housing investment fund (fund).

Official Summary

Section 3 creates the fund in the Colorado housing and finance authority (authority). The bill specifies the source of money to be deposited into the fund and that the authority is to administer the fund. The bill directs that, of the money transmitted to the fund by the state treasurer, on an annual basis, not less than 25% of such amount must be expended for the purpose of supporting new or existing programs that provide financial assistance to persons in households with an income of up to 80% of the area median income for the purpose of allowing such persons to finance, purchase, or rehabilitate single family residential homes as well as to provide financial assistance to any nonprofit entity and political subdivision that makes loans to persons in such households to enable such persons to finance, purchase, or rehabilitate single family residential homes.

Section 3 also requires the authority to submit a report, no later than June 1 of each year, specifying the use of the fund during the prior calendar year to the governor and to the senate and house finance committees.

House Committee

Senate Committee State, Veterans, and Military Affairs

Hearing Date



Housing Colorado

Hearing Room

Hearing Time

Status **Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/05/2018)**

Fiscal Notes [Fiscal Notes](#) (01/16/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-007](#)

Title: Affordable Housing Tax Credit

Position Support

House Sponsors [J. Becker](#) (R)
[C. Duran](#) (D)

Senate Sponsors [L. Guzman](#) (D)
[J. Tate](#) (R)

Official Summary The bill changes the name of the existing low-income housing tax credit to the affordable housing tax credit. This change is reflected in **sections 1 and 3** of the bill. **Section 2** extends the period during which the Colorado housing and finance authority may allocate affordable housing tax credits from December 31, 2019, to December 31, 2024.

House Committee

Senate Committee Finance

Hearing Date

Hearing Room

Hearing Time

Status **Senate Third Reading Passed - No Amendments (02/22/2018)**

Fiscal Notes [Fiscal Notes](#) (01/22/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-009](#)

Title: Allow Electric Utility Customers Install Energy Storage Equipment



Housing Colorado

Position	Monitor
House Sponsors	P. Lawrence (R) F. Winter (D)
Senate Sponsors	K. Priola (R) S. Fenberg (D)
Official Summary	The bill declares that consumers of electricity have a right to install, interconnect, and use electricity storage systems on their property, and that this will enhance the reliability and efficiency of the electric grid, save money, and reduce the need for additional electric generation facilities. The bill directs the Colorado public utilities commission to adopt rules governing the installation, interconnection, and use of customer-sited distributed electricity storage systems.
House Committee	Transportation & Energy
Senate Committee	Agriculture, Natural Resources, and Energy
Hearing Date	2018-02-26
Hearing Room	House Chamber
Hearing Time	10:00 AM
Status	House Committee on Transportation & Energy Refer Unamended to House Committee of the Whole (02/21/2018)
Fiscal Notes	Fiscal Notes (02/16/2018)
Comment	
Votes	Votes all Legislators

Bill: [SB18-010](#)

Title:	Residential Lease Copy And Rent Receipt
Position	Support
House Sponsors	T. Exum Sr. (D)
Senate Sponsors	A. Williams (D) B. Martinez Humenik (R)
Official Summary	The bill requires a residential landlord to provide each tenant with a copy of a written rental agreement signed by the parties and to give a tenant a contemporaneous receipt for any payment made in person with cash or a money order. For payments not made in person with cash or a money order, the landlord must provide a receipt if the tenant requests it. The landlord may provide the tenant with an electronic copy of the agreement or the receipt unless the tenant requests a paper



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House Committee

Finance

Senate Committee

Local Government

Hearing Date

Hearing Room

Hearing Time

Status

Introduced In House - Assigned to Finance (02/20/2018)

Fiscal Notes

[Fiscal Notes](#) (01/16/2018)

Comment

Votes

[Votes all Legislators](#)

Bill: [SB18-015](#)

Title:

Protecting Homeowners And Deployed Military

Position

Monitor

House Sponsors

[L. Liston](#) (R)
[D. Williams](#) (R)

Senate Sponsors

[O. Hill](#) (R)
[R. Gardner](#) (R)

The bill directs a peace officer to remove a person from a residential premises and to order the person to remain off the premises if the owner or owner's authorized agent (declarant) swears to a declaration making specified statements concerning ownership of the premises and the lack of authority for the person or persons who are on the premises to be there. The peace officer must allow the person a reasonable opportunity to obtain evidence of his or her authority to be on the premises.

A declarant:

Official Summary

- Agrees to indemnify a peace officer and his or her agency for acts and omissions made in reliance upon the declaration; and

- Is liable for actual damages, attorney fees, and costs for any false statements made in the declaration.

If the declaration includes a statement that the property has been altered or damaged, or if the peace officer sees evidence of alteration or damage, the peace officer shall collect the personal information of the persons removed and provide it to the declarant. A person removed from the property pursuant to the bill who alters or damages the property is guilty of a class 1 misdemeanor.



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House Committee	State, Veterans, & Military Affairs
Senate Committee	Judiciary
Hearing Date	2018-03-21
Hearing Room	Legislative Services Building Hearing Room A
Hearing Time	1:30 PM
Status	Introduced In House - Assigned to State, Veterans, & Military Affairs (02/01/2018)
Fiscal Notes	Fiscal Notes (02/05/2018)
Comment	
Votes	Votes all Legislators

Bill: [SB18-057](#)

Title: Use Of Criminal Records With Respect To Housing

Position: Oppose

House Sponsors

Senate Sponsors: [D. Kagan](#) (D)

Official Summary

Under current law, it is an unfair housing practice to honor or exercise, or attempt to honor or exercise, any restrictive covenant pertaining to housing. **Section 1** of the bill adds to the definition of restrictive covenant limitations on the transfer, rental, or lease of housing based on records of any arrest or charge that did not result in a conviction and the criminal case is not actively pending (arrest records) or criminal justice records that have been sealed or expunged. **Section 2** makes it an unfair housing practice to inquire about or take an adverse action based on arrest records or sealed or expunged criminal justice records. **Section 3** prohibits landlords from requiring an applicant to disclose any information contained in sealed criminal records. **Section 4** prohibits housing authorities from denying or terminating dwelling accommodations, or taking adverse action against a person, on the basis of arrest records or certain conviction records. **Section 6** requires a landlord to provide applicants with access to records that are used as the basis for denying a rental application. **Section 5** prevents certain tenant criminal records from being admitted as evidence in a civil case against a landlord that is based on the tenant's conduct.

House Committee



Housing Colorado

Senate Committee State, Veterans, and Military Affairs

Hearing Date

Hearing Room

Hearing Time

Status Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/07/2018)

Fiscal Notes [Fiscal Notes](#) (01/24/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-061](#)

Title: Reduce The State Income Tax Rate

Position Monitor

House Sponsors

Senate Sponsors [J. Sonnenberg](#) (R)
[K. Grantham](#) (R)

Official Summary For income tax years commencing on and after January 1, 2018, the bill reduces both the individual and the corporate state income tax rate from 4.63% to 4.43%. The bill also reduces the state alternative minimum tax by 0.2% for income tax years commencing on and after January 1, 2018.

House Committee

Senate Committee Finance

Hearing Date

Hearing Room

Hearing Time

Status Senate Committee on Finance Refer Unamended to Appropriations (01/30/2018)

Fiscal Notes [Fiscal Notes](#) (02/14/2018)

Comment

Votes [Votes all Legislators](#)



Bill: [SB18-064](#)

Title: Require 100% Renewable Energy By 2035

Position: Monitor

House Sponsors: [M. Foote](#) (D)

Senate Sponsors: [M. Jones](#) (D)

Official Summary

The bill updates the renewable energy standard to require that all electric utilities, including cooperative electric associations and municipally owned utilities, derive their energy from 100% renewable sources by 2035. The bill also:

- Removes recycled energy from the types of energy sources eligible for meeting the renewable energy standard;
- Allows a utility to obtain energy efficiency credits equal in value to renewable energy credits based on any energy efficiency upgrades made for a low-income residential customer;
- Removes multipliers used for counting certain renewable energy generated; and
- Phases out the system of tradable renewable energy credits so that renewable energy generated after 2035 is not eligible for renewable energy credits.

House Committee

Senate Committee: Agriculture, Natural Resources, and Energy

Hearing Date

Hearing Room

Hearing Time

Status: Senate Committee on Agriculture, Natural Resources, & Energy Postpone Indefinitely (02/01/2018)

Fiscal Notes: [Fiscal Notes](#) (01/31/2018)

Comment

Votes: [Votes all Legislators](#)

Bill: [SB18-120](#)

Title: Time Period For Tenant To Cure Unpaid Rent

Position: Monitor



Housing Colorado

House Sponsors [J. Wilson](#) (R)
[D. Jackson](#) (D)

Senate Sponsors [K. Priola](#) (R)
[A. Williams](#) (D)

Official Summary

Current law requires a landlord to provide a tenant 3 days to cure a violation for unpaid rent before the landlord can initiate eviction proceedings based on that unpaid rent. The bill allows landlords to initiate an eviction proceeding after providing 3 days' notice but requires landlords to accept payment of all outstanding amounts due before the date by which a tenant is required to appear in court in an eviction proceeding. For a second or subsequent violation of the same agreement within 6 months of a violation, a landlord may require payment within 3 days.

House Committee

Senate Committee Business, Labor and Technology

Hearing Date

Hearing Room

Hearing Time

Status Senate Committee on Business, Labor, & Technology Postpone Indefinitely (02/14/2018)

Fiscal Notes [Fiscal Notes](#) (02/06/2018)

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-141](#)

Title: Income Tax Check-off Nonprofit Donation Fund

Position Monitor

House Sponsors [J. Wilson](#) (R)

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

Official Summary

Section 1 of the bill creates the donate to a Colorado nonprofit fund (fund) in the state treasury. A voluntary contribution designation line for the fund will appear on the state individual income tax return form when a space becomes available and the fund is next in the queue. If the space for the fund becomes available before January 1, 2020, the bill requires the department of revenue (department) to hold the space for the fund until January 1, 2020, and to include the line



thereafter. The line will allow a taxpayer receiving a refund to designate a contribution to an eligible charitable organization (eligible organization) of their choice. The bill requires the secretary of state to provide a list of eligible organizations. To be eligible, an organization must be registered and in good standing with the secretary under the Colorado Charitable Solicitations Act and be a nonprofit that is tax exempt under section 501 (c)(3) of the internal revenue code. A charity may request to exclude itself from the list. The department will make the list of eligible organizations available to the public and a taxpayer may choose a single charity from the list to receive the contribution through the fund. Once the fund is placed on the form, the department is directed to determine annually the total amount designated to the fund, and the total amounts designated to each eligible organization, and to report those amounts to the state treasurer and the general assembly. The state treasurer is required to credit the total amount to the fund. The bill requires the general assembly to appropriate from the fund to the department, the secretary of state, and the state treasurer their actual, reasonable costs for implementing the fund. The department is authorized to contract with a private or public entity to administer the fund, but the total fees under the contract for a given year cannot exceed 3% of the total amount credited to the fund for that year. After the appropriations for the administration of the fund are deducted, the state treasurer is required to distribute the contributions to the charities as designated by taxpayers after a reduction proportionate to the amount deducted from the fund for administration. **Section 2** excludes the fund from the time limitations and minimum contribution requirements imposed on voluntary contribution funds. It also adds a limitation that a taxpayer cannot contribute to any voluntary contribution fund or combination of voluntary contribution funds in an amount that exceeds the amount of the taxpayer's refund. **Section 3** allows the department to share information with a contractor if necessary to implement the fund under a contract and requires the contractor to keep that information confidential subject to a penalty.

House
Committee

Senate
Committee

Finance

Hearing Date

Hearing Room

Hearing Time

Status

Senate Third Reading Passed - No Amendments (02/22/2018)

Fiscal Notes

[Fiscal Notes](#) (02/16/2018)

Comment

Votes

[Votes all Legislators](#)



Housing Colorado

Bill: [SB18-142](#)

Title: Pilot Project For Sustainable Communities

Position: Monitor

House Sponsors: [L. Herod](#) (D)
[J. Melton](#) (D)

Senate Sponsors: [J. Kefalas](#) (D)
[L. Crowder](#) (R)

On solely a one-time basis within the state, the bill requires a state district court to waive all statutory requirements specified for the approval of a municipal incorporation that are not otherwise met by a petitioner if the petitioner files a request for such waiver with a state district court in accordance with the bill. The bill defines petitioner to mean a natural person or entity that seeks state district court approval of a pilot project in accordance with the bill and defines pilot project to mean a one-time project for approval by a state district court of a municipal incorporation to facilitate the creation of a model for a sustainable community with significant affordable housing. The petitioner commences the process for acquiring a waiver by filing an application with an appropriate state district court. The application must be supported by the formal endorsement in writing of any 2 of the following 3 individuals in office as of the time the application is submitted to the district court:

- The governor of the state;
- The president of the state senate; or
- The speaker of the state house of representatives.

Official Summary

This formal endorsement must include a statement from the applicable elected official on his or her official letterhead as to why he or she believes approval of the pilot project is a model for sustainability and affordable housing while also being in the best interests of the people of the state. Once a single waiver has been granted by a state district court under the bill, no additional waivers may be granted for any land area in the state under the bill unless the waiver has been approved by the general assembly by bill including the signature of the governor in accordance with all regular legal procedures and additionally by each of the 3 elected officials in accordance with the requirements of the bill. A petitioner's request for a waiver must be filed with the district court not later than July 31, 2018. Any request for a waiver that is not filed by July 31, 2018, is of no legal force and effect. If the petitioner satisfies all requirements, the district court is required to enter an order finding that the pilot project meets all of the applicable requirements, issuing the requested waiver, and approving the pilot project that is effective as of the date of the order. Upon the entry by a district court of an order issuing the requested waiver and approving the pilot project, the pilot project is designated a town and as of that date possesses all of the rights, powers, and duties delegated to or imposed upon the towns of this state as provided by law, including powers relating to land use, zoning, and related matters. The territorial boundaries of the town are coterminous with the land area of the pilot project as specified in the waiver application. Not less



Housing Colorado

than 90 days after entry of the order, one or more owners of real property located within the territorial boundaries of the town, acting singularly or in combination, as applicable, are required to appoint 5 individuals to serve as the members of a town commission. The commission serves as the governing body of the town, and possesses all of the powers and duties possessed under law by a town council, until such time as the town elects a town council and other elective officers. The term of office of all such commission members is 4 years; except that the term of office of members of the commission may terminate earlier than 4 years upon the election of the town council and other elective officers at which time the commission ceases to exist. An individual need not be a registered elector of the town in order to accept appointment to the commission but any person serving on the commission must be a resident of the state.

At such time as the number of residents of the town equals or exceeds 150 natural persons, the commission is required to hold an election for the purpose of electing a town council and other elective officers. To the extent practicable, the election must be conducted in accordance with the applicable provisions of existing law. Upon the election of the town council and other elective officers, the town council becomes the governing body of the town and such council members and other elective officers must perform their duties and responsibilities as provided by law. The bill clarifies that the town possesses the same authority as any other government in the state to cooperate with or enter into an intergovernmental agreement with another government for the provision of any goods or services to assist in the development, management, operation, or administration of the town. The pilot project opportunity is repealed, effective July 1, 2019.

House
Committee

Senate
Committee State, Veterans, and Military Affairs

Hearing Date

Hearing Room

Hearing Time

Status Senate Committee on State, Veterans, & Military Affairs Postpone Indefinitely (02/12/2018)

Fiscal Notes [Fiscal Notes](#) (02/07/2018)

Comment

Votes [Votes all Legislators](#)