



Weekly Legislative Report for the week of January 15, 2018

**for bills introduced as of January 12, 2018*

Note: All positions on bills must be recommended by the Legislative Committee and ratified by Housing Colorado's Board of Directors before a public position is taken. In 2018, the first Legislative Committee meeting is on 1/17/18 and the first Board Meeting on 1/18/18. While we expect to take positions on the many pieces of legislation affecting affordable housing, this early report only catalogues the bills up for discussion.

Bill: [HB18-1021](#)

Title: Task Force For Youth Experiencing Homelessness

Position: Monitor

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:

Hearing Room:

Hearing Time:

Status: Introduced In House - Assigned to Public Health Care & Human Services (01/10/2018)

Fiscal Notes:

Comment:

Votes: [Votes all Legislators](#)

Bill: [HB18-1054](#)

Title: Affordable Housing Plastic Shopping Bag Tax

Position: Monitor

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. 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.

Official Summary

House Committee: Local Government

Senate Committee:

Hearing Date:

Hearing Room:

Hearing Time:

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

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [HB18-1067](#)

Title: Right To Rest Act

Position Monitor

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

Sponsors [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

Hearing Room

Hearing Time

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

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)

Section 1 of the bill amends the definition of broadband network to increase the speed of downstream broadband internet service from 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

Official
Summary

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

Senate
Committee

Business, Labor and Technology

Hearing Date

Hearing Room

Hearing Time

Status Introduced In Senate - Assigned to Business, Labor, & Technology (01/10/2018)

Fiscal Notes

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)

Official
Summary

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.

House
Committee

Senate
Committee State, Veterans, and Military Affairs

Hearing Date

Hearing Room

Hearing Time

Status Introduced In Senate - Assigned to State, Veterans, & Military Affairs
(01/10/2018)

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-006](#)

Title: Recording Fee To Fund Attainable Housing

Position Monitor

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

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

Official
Summary

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 increase 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).

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

Hearing Room

Hearing Time

Status Introduced In Senate - Assigned to State, Veterans, & Military Affairs
(01/10/2018)

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-007](#)

Title: Affordable Housing Tax Credit

Position Monitor

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

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 Introduced In Senate - Assigned to Finance (01/10/2018)

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-009](#)

Title: Allow Electric Utility Customers Install Energy Storage Equipment

Position Monitor

House
Sponsors

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

Senate
Committee Agriculture, Natural Resources, and Energy

Hearing Date 2018-01-25

Hearing Room Senate Committee Room 357

Hearing Time 1:30 PM

Status Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy (01/10/2018)

Fiscal Notes

Comment

Votes [Votes all Legislators](#)

Bill: [SB18-010](#)

Title: Residential Lease Copy And Rent Receipt

Position Monitor

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 copy.

House Committee

Senate Committee Local Government

Hearing Date

Hearing Room

Hearing Time

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

Fiscal Notes

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 [O. Hill](#) (R)

Sponsors

[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.

House
Committee

Senate
Committee

Judiciary

Hearing Date

Hearing Room

Hearing Time

Status

Introduced In Senate - Assigned to Judiciary (01/10/2018)

Fiscal Notes

Comment

Votes

[Votes all Legislators](#)

Bill: [SB18-057](#)

Title:

Use Of Criminal Records With Respect To Housing

Position

Monitor

House
Sponsors

Senate

[D. Kagan](#) (D)

Sponsors

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.

Official
Summary

House
Committee

Senate
Committee

State, Veterans, and Military Affairs

Hearing Date

Hearing Room

Hearing Time

Status

Introduced In Senate - Assigned to State, Veterans, & Military Affairs (01/11/2018)

Fiscal Notes

Comment

Votes

[Votes all Legislators](#)