

Colorado Legislative Update - CoSEA April 5, 2024

LEGISLATIVE UPDATE

As of Friday, 639 bills had been introduced, 440 in the House and 199 in the Senate. Friday was the 87th day of the 120-day session.

Other Updates:

- CoSEA took a support position on the following bills:
- SB24-023 Kipp and Taggart-- [Hold Harmless for Error in GIS Database Data | Colorado General Assembly](#), which was brought forward by the Sales and Use Tax Simplification Task Force. The department of revenue owns and maintains a GIS database that is provided to vendors to determine the jurisdictions to which tax is owed and to calculate appropriate sales and use tax rates for individual addresses. The bill establishes that any vendor that relies on the information in the GIS database to determine the local taxing jurisdictions to which tax is owed is held harmless in an audit by a local taxing jurisdiction for an underpayment of tax, charge, or fee liability that results solely from an error or omission in the GIS database data.
- SB24-024 Kipp and Taggart-- [Local Lodging Tax Reporting on Sales Return | Colorado General Assembly](#), which was brought forward by the Sales and Use Tax Simplification Task Force. The bill requires local taxing jurisdictions, including any home rule city, to apply the same standards to an accommodation's intermediary as to the a marketplace facilitator that is obligated to collect and remit a local lodging tax. The bill prohibits local taxing jurisdictions from requiring additional reporting information from an accommodation's intermediary.
- SB24-025 Kipp and Taggart-- [Update Local Government Sales & Use Tax Collection | Colorado General Assembly](#), which requires local governments to notify the department of revenue of changes in taxes, to designate liaisons with the department, establishes a resolution process for disputes, and creates a hold harmless provision for errors as a result of any errors with the department's GIS database data, among other provisions.
- CoSEA lobbyist, Heidi Morgan, testified in support of the bills in the House Finance Committee on April 4th. All three bills passed out of House Finance Committee and have now passed out of the full House.

HIGHLIGHTS FROM UNDER THE DOME

It seemed like almost every big issue of the 2024 legislative session was up for debate this week, and that every hour of the day was filled with those debates. All of this activity required long hours, including a late-night House session on Wednesday and the Senate's prolonged budget discussions on Thursday.

However, lawmakers were still able to knock off a little early on Friday, home opening day for the Colorado Rockies. The Senate wrapped up just after 10:30 a.m., and the House closed down just before 12:30 p.m.

A few big issues were on the back burner this week, still being considered in committee or not on the calendar. Among them housing and land use bills and environmental measures. Another very big issue - property tax relief

– was not on any calendar, as no bills have yet been introduced. This [Colorado Sun article](#) provides a good analysis of the issue.

Some highlights of what did get done this week. Note that several bills have passed through the second chamber, moving them closer to the Governor’s desk.

- **Budget** – Lawmakers this year changed the traditional one-week-in-each chamber schedule for consideration of the long bill and its companion bills. That led to the unusual situation of the long bill being passed in both chambers in the same week – Monday by the House and Friday by the Senate.

The *operating* budget package proposes \$42.88 billion in total spending, including \$16 billion GF, \$11.52 billion cash funds, \$12.52 billion federal funds and the remainder re-appropriated (money that’s transferred among departments). The *total* budget package, including other bills, uses \$18.3 billion in the General Fund. The required reserve is \$2.63 billion for 2024-25.

As usual, the House and Senate both made multiple amendments, which the Joint Budget Committee will have to sort out when it meets as the conference committee on the budget, [HB24-1430](#). The long bill passed the House 46-18. JBC member Representative Rick Taggart of Grand Junction was the only Republican to support the bill. The Senate approved the bill 19-6, with only Republicans voting no. Ten senators were excused; it was opening day. The Senate gave unanimous final approval to an important “budget-adjacent” measure, [SB24-188](#), the annual school finance act. Key elements of the bill are the fact that it doesn’t include a Budget Stabilization Factor and does include a new factor that makes additional aid for rural districts permanent.

- **Crime** – The big act of the week was the House Judiciary Committee’s 8-3 approval of [HB24-1372](#), which would set out guidelines for use of prone restraint by police. The original version was very prescriptive, but a full rewrite seemed to get law enforcement and reform advocates more or less on the same page.
- The House Judiciary committee this week also killed [HB24-1284](#), which would have prohibited judges, without the consent of a district attorney, from releasing a person on an unsecured personal recognizance bond if the person is accused of committing a crime of violence.
- **Guns** - A much-reduced [SB24-131](#), which originally would have banned carrying firearms in many public spaces, still sparked heavy debate in the Senate this week before receiving final passage on a 21-14 vote. The bill now would apply primarily to educational institutions and the Capitol.

Another heavily amended measure, [HB24-1349](#), passed the House Finance Committee on Monday. This proposes a ballot measure asking voters to increase excise taxes on firearms dealers and manufacturers, with most of the revenues earmarked for crime victim programs.

On Wednesday, the House worked through a long debate on [SB24-066](#) - the bill that would require payment card companies to track gun and ammunition purchases. This was one of the bills that contributed to the House’s late-night session on Wednesday, when it received preliminary approval.

- **Gender** – The measure that would require schools to recognize students’ preferred names, [HB24-1039](#), passed the Senate 22-11 on Monday. The bill has been criticized by conservatives as an attack on parents’ rights. The House approved Senate amendments on Friday and re-passed the bill.

On Wednesday the Senate gave final 23-12 approval to [HB24-1071](#), which expands current law to allow people convicted of felonies to change their names for gender identification reasons.

And [HB24-1017](#), the nicknamed “bill of rights for foster youth,” received 22-11 final Senate approval. Among rights guaranteed to youth is preferred gender identity.

- **And more** – Miscellaneous other bills of interest moving this week included:
 - [SB24-094](#), intended to strengthen habitability requirements for rental properties, received preliminary House approval Friday.
 - [HB24-1028](#), the bill that would allow cities to set up so-called “safe injection” sites, was the focus of a long House debate earlier in the week but passed 37-18 on Friday without debate.
 - [HB24-1030](#), the bill to tighten state railroad safety requirements, also sparked long House debate earlier in the week but quietly passed 43-12 on Friday.

TALLYING THE BILLS

New bills keep trickling in. Measures introduced this week include:

- [HB24-1438](#) – Tightens state price control laws on insulin and epinephrine injectors
- [HB24-1434](#) – Would increase state affordable housing tax credits
- [SB24-192](#) – Expands the state’s vehicle “lemon law”
- [SB24-198](#) – Updates state law regarding “natural medicine,” i.e. mushrooms

The CoSEA Public Policy Committee meets regularly throughout the legislative session and takes positions on legislation on behalf of CoSEA. If you have an interest in serving on the Public Policy Committee, please email governmentsrelations@cosea.org.

To see what other legislation CoSEA is following, check out the bill tracker linked below:

<https://www.statebillinfo.com/SBI/index.cfm?fuseaction=Public.Dossier&id=34275&pk=486&style=pinstripe>