

# CHLA – 2019 End of Session Report

**To:** Colorado Hotel and Lodging Association  
**From:** MBS Team  
**Date:** May 10, 2019  
**Subject:** 2019 End of Session Report

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## 1. BUDGET

### HIGHLIGHTS

- \$300 million for **transportation**
- \$10 million for the **Water Plan**
- \$175 million placeholder for **Full Day Kindergarten**
- \$77 million to buy down the **K-12 budget stabilization factor**
- \$120,877,419 GF to keep **higher education** tuition flat

### LOCAL AFFAIRS:

- \$1.9 million for **Colorado Choice Transitions** (long-term care housing vouchers)
- \$908,052 for housing assistance for reentry populations
- \$30,000 for Rural Economic Development Grants

### NATURAL RESOURCES:

- \$1.1 million to increase inspections of oil and gas wells

### PUBLIC HEALTH AND THE ENVIRONMENT:

- \$100K suicide prevention
  - Net increase of \$87,887, including decrease of \$22,206 GF for **Tobacco adjustments**
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## 2. Bill Report

Bill #	Position	Outcome	Title & Summary
HB-1025	Actively Monitor	Passed	<b>Limits on Job Applicant Criminal History Inquiries -</b> Effective September 1, 2019 for employers with 11 or more employees and effective September 2020 for all other employers. Except under certain circumstances, the law prohibits advertising or placing in an application that a person with a criminal history may not apply for a position. Also prohibits inquiring about someone’s criminal history on an application.

Bill #	Position	Outcome	Title & Summary
HB-1075	Monitor	<b>Failed</b> <i>(in house)</i>	<b>Tax Credit Employer-Assisted Housing Pilot Program -</b> As a pilot program to promote employer-assisted housing projects in rural areas, for income tax years commencing on or after January 1, 2019, but prior to January 1, 2023, 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 employer-assisted affordable housing 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, a nonprofit corporation that has been designated as a community development corporation under the federal tax code, or an international, nongovernmental, not-for-profit organization whose mission is concentrated on constructing affordable housing. The amount of the credit allowed by the bill is 20% of the approved donation amount; except that the aggregate amount of the credit awarded to any one taxpayer is limited to \$400 in any one income tax year. The bill contains additional requirements pertaining to the manner in which the taxpayer submits information to receive the tax credit. The bill also requires periodic reporting of information on the use of the tax credit.
HB-1076	Support	<b>Passed</b>	<b>Clean Indoor Act Add E-Cigarettes Remove Exceptions</b> Adds definition of electronic smoking device to include e-cigarettes and similar devices within the scope of the Colorado Clean Indoor Air Act and clarifies the definition of smoking to include plant products and synthetic marijuana. Eliminates existing exceptions for certain places of business where smoking may be permitted, including smoking rooms in hotels and airport smoking concessions. Bill increases the smoke-free radius from entryway from 15 ft. to 25ft and will also repeal the ability of property owners and managers to designate smoking and nonsmoking areas through the posting of signs. Repeals local jurisdiction's ability to specify a smoke-free radius less than 15 feet from entryway.
HB-1096	Monitor/Oppose	<b>Failed</b>	<b>Colorado Right To Rest -</b> Would have prohibited the enactment of regulations that discriminate based on housing status and would have provided every person certain rights in public spaces without being subject to criminal and civil penalties or harassment.

HB-1143	Support	Failed	<b>Distribute Plastic Straws Only Upon Request -</b> Would have prohibited a retail food establishment from providing single-use plastic straws to customers unless requested.
HB-1207	Actively Support	Passed	<b>Winter Conditions &amp; Traction Control Requirements -</b> Sets minimum standards for tires and requires traction equipment to be carried on I-70 between milepost 133 and milepost 259 from September 1 through May 31 when icy or snow-packed conditions are present.
HB-1210	Actively Oppose	Passed	<b>Local Government Minimum Wage -</b> Allows a local government to establish a minimum wage law for individuals performing work while physically within its jurisdiction. Maximum of 10% of local governments allowed to enact a local minimum wage. Before enactment, local government must consult with surrounding local governments and engage stakeholders including small and large businesses. If minimum wage exceeds the statewide minimum wage Local Gov. may only increase the local minimum wage each year by up to \$1.75 or 15%, whichever is higher; DOL is required to notify HCPF; HCPF must submit a recommendations to the JBC whether provider rates need to be increased to accommodate the increase. If a referendum petition is filed within 90 days of adjournment, the act or applicable section will not take effect unless approved during general election in November 2020.
HB-1228	Monitor	Passed	<b>Increase Tax Credit Allocation Affordable Housing</b> Increase affordable housing tax credit cap: \$5 million to \$10 million from 2020 to 2024.
HB-1230	Monitor	Passed	<b>Concerning Marijuana Hospitality Establishments –</b> Beginning January 1, 2020 and conditional upon local government approval, the Marijuana Enforcement Division may issue licenses for the operation of marijuana hospitality establishments (allow the consumption of marijuana on premises) and retail marijuana hospitality and sales establishments (allow the consumption of retail marijuana products sold by establishment). Creates exemptions to the Clean Indoor Air Act for MJ smoking that takes place in the aforementioned establishments. Licensed retail food establishments without a liquor license will be permitted to apply for a marijuana hospitality or hospitality and sales license in an isolated portion of their facility. Proposed fees are \$4,500 for a new license, \$1,800 for a renewal and \$52 for the CBI Fingerprint-based background check.

HB-1234	Monitor	Passed	<b>Regulated Marijuana Delivery</b> Phases-in a marijuana delivery permit for licensed medical and retail marijuana businesses and transporters (2020 for medical 2021 for retail and transporter)
HB-1240	Monitor	Passed	<b>Sales &amp; Use Tax Administration</b> Codifies the Department of Revenue's rules regarding the requirement that out-of-state retailers collect and remit sales tax, establishes destination-based sourcing rules, & requires marketplace facilitators to collect and remit sales tax on behalf of their 3rd-party vendors.
HB-1333	Monitor	Failed	<b>Cigarette Tobacco &amp; Nicotine Products Tax</b> Conditional on voter approval in November, would have increases cigarette and tobacco rates by \$1.75 per pack of cigarettes and 62% of manufacturer's list price for tobacco products containing nicotine. An estimated \$300 million in annual revenue from the tax would be split between childhood education efforts and health care
SB-034	Monitor	Failed	<b>Local Gov Recycling Standards for Food Container</b> Would have allowed local governments to set standards for the ready-to-eat food containers utilized by retail food establishments
SB-051	Monitor	Failed	<b>Increase General Fund Funding for Transportation -</b> The bill would have resulted in a one-time transfer from the General Fund to the Department of Transportation and local governments for transportation projects. Through the budget process.
SB-085	Monitor/Oppose	Passed	<b>Equal Pay for Equal Work Act -</b> Effective FY2020-21, modifies existing sex-based wage discrimination law and creates new provisions regarding transparency in wages and promotions. Removes CDLE's authority to enforce sex-based wage discrimination complaints and allows person to commence civil action in district within two years of a violation.
SB-138	Monitor	Passed	<b>Bond Requirements for Public Projects Using Private Financing -</b> Under current law, when a person, company, firm, corporation, or contractor (contractor) enters into a contract with a county, municipality, school district, or, in some instances, any other political subdivision of the state to perform work in connection with a project that has specified characteristics, the contractor is required to execute performance bonds and payment bonds.

			The bill specifies that some of these bonding requirements apply to certain construction contracts situated or located on publicly owned property using public or private money or public or private financing.
SB-141	Actively Monitor	Passed	<b>Entertainment Districts Counties Optional Premises -</b> Allows a city, county or unincorporated area to authorize an entertainment district; expands the types of licenses within an entertainment district that can serve alcohol to include optional premises licenses. An optional premises license allows an outdoor sports and recreational facility to sell alcohol by the drink only to customers for consumption on the licensed optional premises.
SB-142	Monitor	Passed	<b>Hard Cider Exemption wine Industry Development Act</b> Removes hard cider from definition of wine and exempts produce used in the production of hard cider from the excise tax deposited in the Colorado wine industry development fund
SB-181	Monitor	Passed	<b>Oil and Gas Regulatory Reform</b> While the oil & gas industry remains firmly opposed to majority of the bill, the final bill did address some of their concerns, including a specification that state and local regulations must be necessary and reasonable, a limitation on local control to rules that address oil & gas operation's surface impacts in a reasonable manner, and the removal of language that had stated the state couldn't act arbitrarily and capriciously when imposing regulations.
SB-188	Monitor	Passed	<b>FAMLI Family Medical Leave Insurance</b> Establishes an actuarial task force to study the concept of establishing a statewide paid family leave program.
SB-225	Monitor	Failed	<b>Authorize Local Governments to Stabilize Rent</b> Would have permitted local governments to enact local laws or regulations to stabilize rent on private residential property