

HB19-1037

Colorado Energy Impact Assistance Act

Position: **Monitor**

Calendar  
Notification: NOT ON CALENDAR

Sponsors: C. Hansen

Summary: The bill, known as the "Colorado Energy Impact Assistance Act", authorizes any electric utility (utility) to apply to the public utilities commission (PUC) for a financing order that will authorize the utility to issue low-cost Colorado energy impact assistance bonds (bonds) to lower the cost to electric utility customers (ratepayers) when the retirement of a power plant occurs. A portion of bond proceeds will provide transition assistance for Colorado workers and communities directly affected by the retirement of the facilities (transition assistance). To repay the bonds at the lowest cost to ratepayers, the PUC is authorized to review and approve a financing order and authorize a special energy impact assistance charge that is separate and apart from the utility's base rates on all ratepayer bills. The establishment and ongoing adjustment of the separate charge will allow bonds to achieve the highest possible credit rating, at least AA/Aa2, from the national independent credit rating agencies and will therefore allow bonds to be issued at the lowest possible interest rate and lowest subsequent cost to ratepayers.

Before issuing a financing order, the PUC must hold a public hearing, receive testimony from affected groups, and make specified determinations concerning the necessity, prudence, justness, reasonableness, and quantifiable benefits to utility ratepayers of issuing the financing order. After the public hearing process, if a financing order is approved by the PUC, it must include specific information and instructions for the utility to which it applies relating to the amount of bonds to be issued and the imposition of the energy impact assistance charge and must require the utility to pay a specified percentage of the net present value of the savings to a newly created Colorado energy impact assistance authority (authority) for the payment of transition assistance by the authority and the authority's reasonable and necessary administrative and operating costs. As an

alternative to the financing order and bond issuance process, upon the closure of an electric generating facility, a Colorado electric utility may transfer to the authority an amount of up to 15% of the net present value of operational savings created by the closure of the electric generating facility, and such a transfer shall be deemed by the PUC to be a prudent action by the utility.

The bill specifies that the authority is governed by a 7-member board of directors appointed by the governor and specifies mandatory and suggested occupational experience for the directors. The authority is authorized to receive bond proceeds from a utility to which a financing order applies and use the bond proceeds to provide transition assistance and pay its reasonable and necessary administrative and operating costs.

Transition assistance is defined to include payment of retraining costs, including costs of apprenticeship programs and skilled worker retraining programs, for and financial assistance to directly displaced Colorado facility workers, compensation to Colorado local governments for lost property tax revenue directly resulting from the retirement of a facility, and similar payments, job retraining, assistance, and compensation for directly displaced Colorado workers and local governments in areas that produce fuel used in the retired facility directly resulting from the elimination of the need for fuel at the facility. The authority must disburse at least 50% of the transition assistance that it provides directly to Colorado workers. In addition, when determining how best to provide transition assistance to a local community, the authority must, in conjunction with each board of county commissioners, municipal governing body, and school district that includes all or a portion of the impacted community, establish and take into consideration the advice of a local advisory committee. The authority is subject to open meeting and open records requirements and is required to submit a report to specified committees of the general assembly that sets forth a complete and detailed financial and operating statement of the authority for any fiscal year for which the authority has provided transition assistance.

*(Note: This summary applies to this bill as introduced.)*

Status: 1/4/2019 Introduced In House - Assigned to Energy & Environment  
2/11/2019 House Committee on Energy & Environment Refer  
Amended to House Committee of the Whole

Fiscal Notes: [Fiscal Note](#)

Amendments:

HB19-1086

Plumbing Inspections Ensure Compliance

Position: **Monitor**

Calendar  
Notification: NOT ON CALENDAR

Sponsors: M. Duran

Summary: Current law requires plumbing inspectors employed by qualified state institutions of higher education to possess the same qualifications required of state plumbing inspectors. **Section 1** of the bill requires the same of inspectors employed by an incorporated town or city, county, or city and county.

**Section 2** requires state plumbing inspectors or plumbing inspectors employed by the state, an incorporated town or city, county, city and county, or qualified state institution of higher education (entity) to conduct a contemporaneous review of each plumbing project inspected to ensure compliance with the plumbing law, including specifically licensure and apprentice requirements. However, each entity need not perform a contemporaneous review for each inspection of a project. Each entity shall develop standard procedures to advise inspectors on how to conduct a contemporaneous review. Each entity must post its standard procedures on its public website and provide the director of the division of professions and occupations within the department of regulatory agencies with a link to the web page on which the standard procedures have been posted.

*(Note: This summary applies to this bill as introduced.)*

Status: 1/14/2019 Introduced In House - Assigned to Business Affairs and Labor  
1/14/2019 Introduced In House - Assigned to Business Affairs & Labor

Fiscal Notes: [Fiscal Note](#)

Amendments:

HB19-1096

Colorado Right To Rest

Position:

**Oppose**

Calendar  
Notification:

Tuesday, February 26 2019  
Transportation & Local Government  
Upon Adjournment Room 0112  
(1) in house calendar.

Sponsors:

J. Melton

Summary:

The bill creates the "Colorado Right to Rest Act", which establishes basic rights for people experiencing homelessness, including but not limited to the right to rest in public spaces, to shelter themselves from the elements, 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 their property.

The bill prohibits discrimination based on housing status.

The bill creates an exemption of the basic right to rest for people experiencing homelessness for any county, city, municipality, or subdivision that can demonstrate that, for 3 consecutive months, the waiting lists for all local public housing authorities contain fewer than 50 people.

The bill allows the general assembly to appropriate money from the marijuana tax cash fund to the department of local affairs for the purpose of enabling governmental entities that do not meet the exemption requirement to reduce the housing waiting lists to fewer than 50 people for at least 6 months per year.

The bill allows any person whose rights have been violated to seek enforcement in a civil action.

*(Note: This summary applies to this bill as introduced.)*

Status:

1/14/2019 Introduced In House - Assigned to Transportation & Local Government

Fiscal Notes:

Amendments:

[HB19-1118](#)

Time Period To Cure Lease Violation

Position:

Calendar  
Notification:

NOT ON CALENDAR

Sponsors:

D. Jackson | R. Galindo / A. Williams

Summary:

Current law requires a landlord to provide a tenant 3 days to cure a violation for unpaid rent or any other condition or covenant of a lease agreement, other than a substantial violation, before the landlord can initiate eviction proceedings based on that unpaid rent or other violation. Current law also requires 3 days' notice prior to a tenancy being terminated for a subsequent violation of a condition or covenant of a lease agreement.

The bill requires a landlord to provide a tenant 14 days to cure a violation for unpaid rent or for a first violation of any other condition or covenant of a lease agreement, other than a substantial violation, before the landlord can initiate eviction proceedings. The bill requires 14 days' notice prior to the landlord terminating a lease agreement for a subsequent violation of the same condition or covenant of the agreement.

*(Note: This summary applies to this bill as introduced.)*

Status:

1/16/2019 Introduced In House - Assigned to

Fiscal Notes:

[Fiscal Note](#)

Amendments:

[HB19-1170](#)

Residential Tenants Health And Safety Act

Position:

Calendar  
Notification:

Friday, February 15 2019  
Public Health Care & Human Services

Upon Adjournment Room 0107  
(4) in house calendar.

Sponsors: D. Jackson | M. Weissman / A. Williams | J. Bridges

Summary: Under current law, a warranty of habitability (warranty) is implied in every rental agreement for a residential premises, and a landlord commits a breach of the warranty (breach) if:

- The residential premises is uninhabitable or otherwise unfit for human habitation;
- The residential premises is in a condition that is materially dangerous or hazardous to the tenant's life, health, or safety; and
- The landlord has received written notice of the condition and failed to cure the problem within a reasonable time.

The bill states that a landlord breaches the warranty if a residential premises is:

- Uninhabitable or otherwise unfit for human habitation or in a condition that is materially dangerous or hazardous to the tenant's life, health, or safety; and
- The landlord has received written or electronic notice of the condition and failed to commence remedial action by employing reasonable efforts within:
  - 24 hours, where the condition is materially dangerous or hazardous to the tenant's life, health, or safety; or
  - 72 hours, where the premises is uninhabitable or otherwise unfit for human habitation.

Current law provides a list of conditions that render a residential premises uninhabitable. To this list, the bill adds 2 conditions; specifically, a residential premises is uninhabitable if:

- The premises lacks a functioning refrigerator, range, or oven, if the landlord provides any of these appliances pursuant to the rental agreement; or
- There is mold that is associated with dampness, or there is any other condition causing the premises to be damp, which condition, if not remedied, would materially interfere with the health or safety of the tenant.

The bill grants to county courts and small claims courts jurisdiction to provide injunctive relief related to a breach.

Current law requires a tenant to serve written notice upon a landlord before the landlord may be held liable for a breach. The bill expands the acceptable form of such notice to include electronic notice.

The bill also:

- States that if a tenant gives a landlord notice of a condition that is imminently hazardous to life, health, or safety the landlord, at the request of the tenant, shall move the tenant to a reasonably comparable unit under the control of the landlord or pay for a tenant to reside in a reasonably comparable temporary living location while the condition is being remedied or repaired;
- Allows a tenant who satisfies certain conditions to deduct from one or more rent payments the cost to repair or remedy a condition causing a breach;
- Repeals the requirement that a tenant notify a local government before seeking an injunction for a breach;
- Repeals provisions that allow a rental agreement to require a tenant to assume certain responsibilities concerning conditions and characteristics of a premises;
- Prohibits a landlord from retaliating against a tenant in response to the tenant having made a good-faith complaint to the landlord or to a governmental agency alleging a condition that renders the premises uninhabitable or any condition that materially interferes with the health or safety of the tenant; and
- Repeals certain presumptions and specifies monetary damages that may be available to a tenant against whom a landlord retaliates.

If the same condition that substantially caused a breach recurs within 6 months after the condition is repaired or remedied, the tenant may terminate the rental agreement 14 days after providing the landlord written or electronic notice of the tenant's intent to do so.

*(Note: This summary applies to this bill as introduced.)*

Status: 2/5/2019 Introduced In House - Assigned to Public Health Care & Human Services

Fiscal Notes: [Fiscal Note](#)

Amendments:

HB19-1175

Property Tax Valuation Appeal Process

Position:

Calendar  
Notification: Wednesday, February 13 2019  
Transportation & Local Government  
1:30 p.m. Room 0112  
(2) in house calendar.

Sponsors: M. Gray / J. Gonzales

Summary: For counties that have elected to use the alternate protest and appeal procedures, **section 1** of the bill requires:

- A taxpayer who owns rent-producing commercial real property to provide the assessor with property rental information (rental information) on or before July 15 of the year of the appeal; and
- The county assessor to mail the notice of determination regarding the appeal by August 15 of the year of the appeal instead of the last working day in August.

For all counties, **section 2** modifies:

- The rental information that a petitioner appealing the valuation of rent-producing commercial property or the denial of an abatement must provide to a county; and
- The information related to a county's determination of the value that a county is required to provide to a petitioner who has filed an appeal with the board of assessment appeals.

A petitioner who provides rental information to an assessor as part of an alternate protest and appeal is not required to provide the same information in an appeal of the valuation.

*(Note: This summary applies to this bill as introduced.)*

Status: 2/7/2019 Introduced In House - Assigned to Transportation & Local Government

Fiscal Notes: [Fiscal Note](#)

Amendments:

SB19-006

Electronic Sales And Use Tax Simplification System

Position: **Monitor**

Calendar  
Notification: NOT ON CALENDAR

Sponsors: A. Williams / T. Kraft-Tharp | K. Van Winkle

Summary: **Sales and Use Tax Simplification Task Force.** The bill requires the office of information technology (office) and the department of revenue (department), within existing resources, to conduct a sourcing method in accordance with the applicable provisions of the procurement code, and any applicable rules, for the development of an electronic sales and use tax simplification system (system). The bill also requires the office and the department to involve stakeholders to develop the scope of work.

The bill requires the general assembly to make any necessary appropriations for the initial funding and ongoing maintenance of the system from any net sales tax revenues that is credited to the general fund.

The bill specifies that on and after the date the system is online the department is required to accept any returns and payments processed through the system for state sales and use tax and for any sales and use taxes that are collected by the department on behalf of any local taxing jurisdiction.

The bill specifies that it is the general assembly's intent that a certain number of local taxing jurisdictions with home rule charters voluntarily use the system when the system comes online. Additionally, the bill states that it is the general assembly's intent that all local taxing jurisdictions with home rule charters voluntarily use the system within a specified number of years.

*(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)*

Status: 1/4/2019 Introduced In Senate - Assigned to Finance  
1/22/2019 Senate Committee on Finance Refer Amended - Consent  
Calendar to Senate Committee of the Whole  
1/25/2019 Senate Second Reading Passed with Amendments -

Committee  
1/28/2019 Senate Third Reading Passed - No Amendments  
1/31/2019 Introduced In House - Assigned to Finance  
2/11/2019 House Committee on Finance Refer Amended to  
Appropriations

Fiscal Notes: [Fiscal Note](#)

Amendments: [Amendments](#)

[SB19-047](#) Remove Unauthorized Persons From Vacant Land

Position:

Calendar  
Notification: NOT ON CALENDAR

Sponsors: D. Hisey / B. Buentello

Summary: Current law provides a procedure, in lieu of an eviction, to remove unauthorized persons from residential property. The bill expands the alternative procedure to authorize removal of unauthorized persons from vacant land.

*(Note: This summary applies to this bill as introduced.)*

Status: 1/7/2019 Introduced In Senate - Assigned to Local Government  
2/5/2019 Senate Committee on Local Government Postpone  
Indefinitely

Fiscal Notes: [Fiscal Note](#)

Amendments:

[SB19-077](#) Electric Motor Vehicles Public Utility Services

Position: **Amend**

Calendar Notification: NOT ON CALENDAR

Sponsors: K. Priola | A. Williams / C. Hansen

Summary: Currently, public utilities may provide charging ports or fueling stations for motor vehicles as unregulated services. The bill authorizes public utilities to provide these services as regulated or unregulated services and allows cost recovery.

The bill allows a public utility to apply to the public utilities commission (commission) to build facilities to support electric vehicles. Standards are set for approval. When a facility is built, the rates and charges for the services:

- May allow a return on any investment made by a public utility at the utility's weighted average cost of capital at the utility's most recent rate of return on equity approved by the commission; and
- Must be recovered from all customers of a public utility in a manner that is similar to the recovery of distribution system investments.

*(Note: This summary applies to this bill as introduced.)*

Status: 1/11/2019 Introduced In Senate - Assigned to Business, Labor, & Technology

Fiscal Notes: [Fiscal Note](#)

Amendments:

[SB19-085](#) Equal Pay For Equal Work Act

Position: **Monitor**

Calendar Notification: Wednesday, February 20 2019  
SENATE JUDICIARY COMMITTEE  
1:30 PM SCR 352  
(1) in senate calendar.

Sponsors: J. Danielson | B. Pettersen / J. Buckner | S. Gonzales-Gutierrez

Summary: The bill removes the authority of the director of the division of labor standards and statistics in the department of labor and employment (director) to enforce wage discrimination complaints based on an employee's sex and instead permits an aggrieved person to bring a civil action in district court to pursue remedies specified in the bill.

The bill allows exceptions to the prohibition against a wage differential based on sex if the employer demonstrates that a wage differential is based upon one or more factors, including:

- A seniority system;
- A merit system; or
- A system that measures earnings by quantity or quality of production.

The bill prohibits an employer from:

- Seeking the wage rate history of a prospective employee;
- Relying on a prior wage rate to determine a wage rate;
- Discriminating or retaliating against a prospective employee for failing to disclose the employee's wage rate history; and
- Discharging or retaliating against an employee for actions by an employee asserting the rights established by the bill against an employer.

The bill requires an employer to announce to all employees employment advancement opportunities and job openings and the pay range for the openings. The director is authorized to enforce actions against an employer concerning transparency in pay and employment opportunities, including fines of between \$500 and \$10,000 per violation.

*(Note: This summary applies to this bill as introduced.)*

Status: 1/17/2019 Introduced In Senate - Assigned to Judiciary

Fiscal Notes:

Amendments:

[SB19-096](#)

Collect Long-term Climate Change Data

Position: **Monitor**

Calendar  
Notification: NOT ON CALENDAR

Sponsors: K. Donovan / C. Hansen

Summary: The bill requires the air quality control commission in the department of public health and environment to collect greenhouse gas emissions data from greenhouse gas-emitting entities, report on the data, including a forecast of future emissions, and propose a draft rule to address the emissions by July 1, 2020.  
*(Note: This summary applies to this bill as introduced.)*

Status: 1/23/2019 Introduced In Senate - Assigned to Transportation & Energy

Fiscal Notes: