

AUGUST
POLICY STRATEGIES

Colorado Press Association

2022 End of Session Report

It has been a pleasure to represent the Colorado Press Association at the legislature this year. Please do not hesitate to contact me if you have a specific question or need.

Sincerely,

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Major Bills
Colorado Press Association

Bill Number	Short Title	Sponsors	Status
HB22-1041	**Privacy Protections For Protected Persons**	House: Larson (R), Boesenecker (D) Senate: Ginal (D)	**PASSED** - first example of a growing trend of anti-doxxing bills in the legislature. Purpose of the trend is to protect specific types of individuals by limiting public access to personal information.
HB22-1110	**Board Of Education Executive Session**	House: Bradfield (R), Boesenecker (D) Senate: Story (D)	**PASSED** - Allows school boards to discuss compensation in Executive Session if other requirements to conduct business in public are met.
HB22-1121 SUPPORT	**Supporting Local Media**	House: Cutter (D)	**FAILED** - CPA-initiated bill. Great hearing in House Business & Finance Committees. Unfortunately fell victim to budgetary pressure and was not funded.
HB22-1156	**Public Official Reporting Requirements Modification**	House: Williams (R), Kennedy (D) Senate: Bridges (D), Gardner (R)	**PASSED** - Changes reporting deadlines for candidate information.
HB22-1223 AMEND	**Mobile Home Property Tax Sale Notice And Exemption**	House: Rich (R), Kipp (D) Senate: Coram (R), Ginal (D)	**PASSED** - The bill eliminates the requirement to publish a notice of a sale of a mobile home due to property taxes owed. Notice must be published on treasurer's website. Was difficult to influence it because benefitted an extremely sympathetic population.
HB22-1355 AMEND to MONITOR	**Producer Responsibility Program For Recycling**	House: Cutter (D) Senate: Priola (R), Gonzales (D)	**PASSED** - Big win for CPA. We ensured that newspapers were exempted from producer requirements to pay for downstream recycling costs.

Major Bills (cont.)
Colorado Press Association

Bill Number	Short Title	Sponsors	Status
SB22-062	**Committee On Legal Services Procedures**	Senate: Lee (D), Gardner (R) House: Weissman (D), Soper (R)	**PASSED -** CFOIC convinced sponsors to limit non-transparent processes within the bill.
SB22-099 AMEND	**Sealing Criminal Records**	Senate: Hisey (R), Rodriguez (D) House: Larson (R), Tipper (D)	**PASSED** - CPA negotiated to modify consumer reporting agency reporting restrictions.
SB22-153	**Internal Election Security Measures**	Senate: Priola (R), Fenberg (D) House: Lontine (D)	**PASSED** - Wide-ranging elections bill. From CPA perspective, another anti-doxxing bill.
SB22-169	**SensitiveSpecies Data And Public Records**	Senate: Donovan (D) House: Hooton (D), Will (R)	**PASSED** - CPA negotiated to change statutory construction. Agencies can deny the right to inspect records containing information that could be used to determine the specific location of an animal or a protected plant.
SB22-171	**Privacy Protections For Educators**	Senate: Priola (R), Bridges (D) House: McLachlan (D), Kipp (D)	**PASSED** - Another anti-doxxing bill.

Session Overview

Big Bills

In many ways, the most hotly contested bills in Colorado's 2022 Legislative Session demonstrate that Colorado continues to reflect and initiate progressive trends seen across the country.

HB22-1279 **Reproductive Health Equity Act** yielded the longest floor debate in recent history (almost 24 hours) over the codification of the right to have an abortion or to continue a pregnancy, as well as the right to use or refuse contraceptive care.

HB22-1326 **Fentanyl Accountability And Prevention** attempts to address fentanyl-related deaths. It provoked extensive debate about law enforcement vs. treatment.

HB22-1244 **Public Protections From Toxic Air Contaminants** was, in part, a reaction to the Environmental Protection Agency's downgrade in air quality designation for the Denver region. The bill will create a study at CDPHE, while maintaining health standards for a set of pollutants.

HB22-1295 **Department Early Childhood And Universal Preschool Program** created the new Department to deliver on the promise of free preschool for four-year-olds.

HB22-1355 **Producer Responsibility Program For Recycling** charges manufacturers of packaged goods a fee that will go toward creating a statewide recycling program.

SB22-230 **Collective Bargaining For Counties** will require bargaining rights only for some county employees. It sets a precedent for future efforts to require collective bargaining for municipalities, colleges, and K-12 school districts.

SB22-238 **2023 And 2024 Property Tax** sets a $700 million reduction in property tax over the next two years to help people contend with an increasing tax burden due to soaring property values in Colorado.

This Word Cloud represents the frequency of bill subjects across the 657 bills introduced during the 2022 Session



Federal ARPA Money

The federal government has disbursed $4 trillion for loans and other programs related to COVID-19 Pandemic Relief. As of January 2022, Colorado had received $63.17 billion in direct assistance from 22 federal programs, divided into five big buckets - personal assistance $23.3 billion (37%); business assistance $21.1 billion (33%); state and local government assistance $10.8 billion (17%); health care programs $5.1 billion (8.1%); and education $2.9 billion (4.6%).

The legislature received $2.6 billion in federal pandemic relief funds. Close to $1 billion went to the Revenue Loss Restoration Fund. The remaining $1.6 billion was spent on Behavioral Health, Housing, Economic Recovery, and Workforce projects. The following is a sampling of the most significant decisions to allocate federal money.

FY22-23 Budget Update

This year, the vast amount of COVID-relief federal funding available certainly eased the budget process. However, budget writers remain very concerned about what they describe as a long-term structural deficit. They are worried that there will not be sufficient General Fund revenue to cover expenses in the next few budget cycles.

The total FY22-23 budget is $37.73 billion, encapsulating all funds for state operations. It includes $13.72 billion in proposed General Fund spending, increasing $1.48 billion (12%) from 2021-22. The budget proposes $637.5 million for capital construction and IT projects, considerably higher than the 2021-22 total of $367.7 million. The 15% General Fund reserve will total $2.03 billion. Other key elements of this year's budget include a 3% raise for State Employees amounting to $75.3 million and a 2% overall increase in community provider rates.

The six departments with the largest budgets for FY22-23 are:

- Health Care Policy & Financing (Medicaid) ($14.19 billion),
- Education ($7.18 billion)
- Higher Education ($5.4 billion)
- Human Services ($2.64 billion)
- Transportation ($1.78 billion)
- Corrections ($993.3 million)

Looking Ahead

Interim Committees

There are several ongoing interim committees, as well as a few new ones created this year. These committees are authorized to meet during the 2022 interim and, this year, most of them must conclude their work by October 15. Note, these committees are separate from the Year-Round Committees, all of which are also authorized to meet during the 2022 interim.

Committees Authorized During the 2022 Session

- The Jail Standards Oversight Committee & the Jail Standards Commission (HB22-1063)
- Interim Committee on Judicial Discipline (SB22-201)
- Facial Recognition Task Force (SB22-113)

Ongoing Interim Committees

- Colorado Youth Advisory Council Review Committee
- Early Childhood and School Readiness
- School Finance Committee
- Tax Policy Oversight Committee
- Pension Review Commission & Subcommittee
- Sales and Use Tax Simplification Task Force
- Statewide Health Care Review Committee
- Transportation Legislation Review Subcommittee
- Water Resources Review Committee
- Wildfire Matters Review Committee

November 2022 Ballot Initiatives

As of early May, only one initiative has been confirmed for the November 2022 ballot; #31 State Income Tax Rate Reduction. Additionally, HB22-1414 links with the Healthy School Meals for All Program ballot initiative which is expected to be approved for signature circulation soon.

Seven initiatives have their titles set and approved for signature circulation. Each initiative requires 124,632 valid signatures to be approved for the November 2022 ballot:

#54 Petitions
#56 Unlawful Murder of a Child
#58 Access to Natural Medicine
#61 Legal Possession and Use of Entheogenic Plants and Fungi
#63 Additional Dedicated Revenue to the State Education Fund
#80 Campaign Expenditure Limits
#82 Minimum Reimbursement Fee for Covered Dental Procedures Performed by Medicaid Providers

There are over 45 additional initiatives that have been title-set but not yet approved for signature circulation. The majority are related to the liquor code and sales/property tax. More details can be found on the Colorado Secretary of State website. Legislative Council Staff has compiled a great resource for the initiative filing process.

Election Preview – Races to Watch

General Election

Most eyes are on the Senate where Republicans are mounting a credible effort to flip control of the Chamber. Democrats currently control the Senate 20-15, which means Republicans have to hold all their existing seats and pick up three additional seats to take over. These races will determine control of the Senate.

- **Senate District 3.** Pueblo. Incumbent Nick Hinrichsen (D) vs. Stephen Varela (R)
- **Senate District 8.** Central Mountains. Open Seat. Dylan Roberts (D) vs. Matt Soloman (R)
- **Senate District 11.** El Paso County. Open Seat. Winner of Democratic primary Tony Exum or Yolanda Avila vs. Dennis Hisey (R)
- **Senate District 15.** Northern Colorado. Janice Marchman (D) vs. Incumbent Rob Woodward (R)
- **Senate District 20.** Jefferson County. Open Seat. Lisa Cutter (D) vs.Tim Walsh (R)
- **Senate District 24**. Adams County. Open Seat. Kyle Mullica (D) vs. Courtney Potter (R)
- **Senate District 27.** Arapahoe County. Open Seat. Tom Sullivan (D) vs. winner of Republican primary Julie Marie Shephard or Tom Kim

It is far less likely that the control of the House will change as a result of the 2022 election. However, there are several interesting races resulting from changing district boundaries produced by redistricting. Several incumbent Democrats who used to have relatively safe seats, will now face a more competitive landscape.

- **House District 13**. Summit County. Incumbent (and Chair of the Joint Budget Committee) Julie McCluskie (D) vs. David Buckley (R)
- **House District 18.** Manitou Springs. Incumbent Marc Snyder (D) vs. the winner of Republican primary Shana Black or Summer Groubert
- **House District 26.** Routt County. Open Seat. Meghan Lukens (D) vs. winner of Republican primary Savannah Wolfson or Glenn Lowe
- **House District 28.** Jefferson County. Open Seat. Leanne Emm (D) vs. winner of Republican primary Dan Montoya or Amara Hildebrand
- **House District 38.** Littleton. Incumbent David Ortiz (D) vs. Jaylen Mosqueira (R)
- **House District 50**. Greeley. Incumbent Mary Young (D) vs. Ryan Gonzalez (R)
- **House District 59**. Durango. Incumbent Barbara McLachlan (D) vs. winner of Republican primary Shelli Shaw or Alexander Winkler
- **House District 61**. Arapahoe County. Open Seat. Eliza Hamrick (D) vs. Caroline Cornell (R)

Primaries

Colorado's primary is June 28th. Most competitive primaries take place in safe seats, where the candidate who wins the primary wins the general election. Several incumbent legislators are facing intra-party battles. Most notably, Republican House Minority Leader Hugh McKean and Senate Minority Whip Paul Lundeen.

Key Democratic Primaries

- **House District 6.** Central/West Denver. Elisabeth Epps vs. Katie March
- **House District 34.** Adams County. Sam Nazim vs. Jenny Wilford
- **House District 42**. Arapahoe County. Mandy Lindsay (incumbent) vs. Gail Pough
- **House District 57**. Pitkin/Garfield/Eagle. Cole Buerger vs. Elizabeth Velasco
- **House District 62.** Southern Colorado. Donald Valdez (incumbent) vs. Robert Dimick

Key Republican Primaries

- **Senate District 9.** Northern El Paso County. Paul Lundeen (incumbent) vs. Lynda Zamora Wilson
- **Senate District 27.** Arapahoe County. Tom Kim vs. JulieMarie Shepherd Macklin
- **House District 21.** El Paso County. Mary Bradfield (incumbent) vs. Ken Dent
- **House District 25**. Jefferson County. Colin Larson (incumbent) vs. Dede Wagner
- **House District 51.** Larimer County. Hugh McKean (incumbent) vs. Austin Hein
- **House District 55.** Mesa County. Rick Taggart vs. Trish Weber
- **House District 63.** Eastern Plains. Richard Holtorf (incumbent) vs. Jesse Vance