

Colorado State University System
LEGISLATIVE DIGEST
2015 SESSION
COLORADO GENERAL ASSEMBLY

CSU System
Legislative Tracking Sheet - 2015

Successful Legislation – Bills/Resolutions that have passed

House Bills

1.	HB15-1006	Invasive Phreatophyte Grant Program	Support
2.	HB15-1008	Ag Land Destroyed By Natural Causes	Monitor
3.	HB15-1013	South Platte Aquifer Study Recommendations	Monitor
4.	HB15-1067	Continuing Professional Development Psychologists	Monitor
5.	HB15-1072	Interactive Electronic Harassment	Monitor
6.	HB15-1073	Driver May Challenge Initial Police Contact	Oppose
7.	HB15-1121	Wind Energy Devel Agreement Recording & Expiration	Monitor
8.	HB15-1166	South Platte Alluvial Aquifer Monitoring Network	Support
9.	HB15-1178	Emergency Well Pumping Damaging High Groundwater	Monitor
10.	HB15-1182	Scope Of Practice Certified Nurse Aides	Monitor
11.	HB15-1187	Veterinarian Peer Health Asst Mental Health Exam	Support
12.	HB15-1197	Indemnity In Public Construction Contracts	Oppose
13.	HB15-1212	Authority To Sell State Trust Lands To Local Gov	Monitor
14.	HB15-1213	Office Of Information Technology Modifications	Monitor
15.	HB15-1215	In-state Tuition Dependents Of Military Members	Support
16.	HB15-1220	Campus Sexual Assault Victim Medical Care	Monitor
17.	HB15-1230	Innovative Industry Workforce Development Program	Monitor
18.	HB15-1262	Contractual Joint Governmental Entity Powers	Monitor
19.	HB15-1266	Information Technology Budget Request Process	Monitor
20.	HB15-1274	Creation Of Career Pathways For Students	Monitor
21.	HB15-1285	Law Enforcement Use Of Body-worn Cameras	Monitor

22. HB15-1287	Police Officer Training Improvements	Monitor
23. HB15-1290	Stop Police Interference Cop Incident Recordings	Monitor
24. HB15-1294	Federal Law In-state Tuition For Veterans	Monitor
25. HB15-1344	Fund Natl Western Ctr & Capitol Complex Projects	Monitor
26. HB15-1366	Expand Job Growth Tax Credit For Higher Ed Project	Monitor
27. HB15-1367	Retail Marijuana Taxes	Monitor
28. HB15-1373	Provisional Speech-language Pathology Certificate	Monitor

Senate Bills

29. SB15-008	Promote Water Conservation In Land Use Planning	Monitor
30. SB15-010	Repeal New Augmentation Standard Dawson Aquifer	Support
31. SB15-013	Extend Deadline For Dog Protection Act	Support
32. SB15-015	Mental Health Parity For Autism Spectrum Disorders	Monitor
33. SB15-022	Wildfire Risk Reduction Grant Program	Support
34. SB15-046	Renewable Energy Std Adjust REAs Distributed Gen	Monitor
35. SB15-058	Eyewitness Identifications Policies And Procedures	Monitor
36. SB15-128	Medical Reports Of Alleged Sexual Assaults	Monitor
37. SB15-183	Quantify Water Rights Historical Consumptive Use	Monitor
38. SB15-185	Police Data Collection And Community Policing	Monitor
39. SB15-198	Expand Following Pilot Program Nonmunicipal Uses	Monitor
40. SB15-205	Veterans Fire Corps For Wildland Firefighting	Monitor
41. SB15-208	Capital-related Expenditures	Monitor
42. SB15-212	Storm Water Facilities Not Injure Water Rights	Monitor
43. SB15-217	Police Shooting Data Collection	Monitor
44. SB15-218	Disclose Misrepresentations By Peace Officers	Monitor
45. SB15-219	Peace Officer Shootings Transparency Measures	Monitor
46. SB15-234	2015-16 Long Appropriations Bill	Monitor
47. SB15-255	Deposit Severance Tax Revenues In General Fund	Monitor
48. SB15-264	Revisor's Bill	Monitor
49. SB15-270	Create The Office Of State Architect	Monitor

Bills Pl'd or Killed

House Bills

1. HB15-1001	Early Childhood Educator Development Scholarships
2. HB15-1027	In-state Tuition American Indian Tribes Ties to CO
3. HB15-1037	Religious Freedom Student Groups Higher Ed
4. HB15-1044	Periodic Legislative Review Executive Branch Rules
5. HB15-1049	Deadly Force Against Intruders In Businesses
6. HB15-1050	Repeal Gun Transfer Background Check Rqmnt & Fee

7. HB15-1058 General Fund Surplus Transfers For Education
8. HB15-1081 Protect Physical Privacy In Locker Rooms
9. HB15-1105 Revising CO Ed Accountability Measures
10. HB15-1110 Review Of Principal Departments Of State Gov
11. HB15-1114 Prohibit State Aid To NDAA Investigations
12. HB15-1115 Use Of Unmanned Aerial Vehicles
13. HB15-1119 Local Government Fracking Ban Liable Royalties
14. HB15-1125 CO State Academic Standards & Flexible Assessments
15. HB15-1126 Overseas Fed Civilian Employee Tax Filing Status
16. HB15-1127 No Liability For Permitting Concealed Carry
17. HB15-1133 Continue Colorado Pay Equity Commission
18. HB15-1146 Colorado Student Leaders Institute
19. HB15-1161 Public Accommodation First Amendment Rights
20. HB15-1171 State Freedom Of Conscience Protection Act
21. HB15-1199 Student & Teacher Data Privacy & Security Act
22. HB15-1221 Employee Leave Attend Child's Academic Activities
23. HB15-1222 Water Efficiency Savings Instream Use Pilot
24. HB15-1251 PERA & Denver Pub Sch 5 Year True-up
25. HB15-1258 FAMLI Insurance Program Wage Replacement
26. HB15-1286 Police Misconduct Court Require Prosecution
27. HB15-1288 Updates To Profiling Prohibition
28. HB15-1289 Criminal Charges Based On Unlawful Order
29. HB15-1291 Prohibit Peace Officer Use Of Chokehold
30. HB15-1296 Campus Sexual Assault Task Force
31. HB15-1369 Define Tuition Status Unaccompanied Homeless Youth
32. HB15-1374 Option To Invest TABOR Refund In State Services
33. HB15-1388 SCORE Act For PERA Pension Obligation Bonds

Senate Bills

34. SB15-003 Ed Evaluations Fifty Percent Academic Growth
35. SB15-009 Public Building Woody Biomass Energy Grant Program
36. SB15-032 Lift Restrictions On Carrying Of Firearm
37. SB15-039 Concurrent Jurisdiction Over Federal Land
38. SB15-042 Mandatory Reports Of Animal Abuse
39. SB15-044 Electric Renewable Energy Standard Reduction
40. SB15-050 Awarding CO's Excellent Scholars Program
41. SB15-059 Use Of Unmanned Aerial Vehicles
42. SB15-062 Extend Restriction Tuition Increases Higher Ed
43. SB15-066 Noncitizen Resident Identification Documents
44. SB15-068 Higher Ed Lower Debt Act

- 45. SB15-069 Repeal Job Protection Civil Rights Enforcement Act
- 46. SB15-074 Transparency In Direct Pay Health Care Prices
- 47. SB15-075 Exempt Well Irrigate Up To 1 Acre Commercial Crops
- 48. SB15-080 Participation In PERA's Defined Contribution Plan
- 49. SB15-084 Water Right Partial Historical Consumptive Use
- 50. SB15-091 Reduce Statute Of Limitations Construction Defects
- 51. SB15-094 Employment Of Community College Faculty
- 52. SB15-131 Fostering Success Collaborative For Foster Youth
- 53. SB15-177 HOA Construction Defect Lawsuit Approval Timelines
- 54. SB15-179 US Highway 50 Economic Benefits Study
- 55. SB15-231 Ban Regulatory Agency Firearms & Special Ops

House Bills Enacted

HOUSE BILL 15-1006

CONCERNING THE ESTABLISHMENT OF A GRANT PROGRAM FOR THE MANAGEMENT OF INVASIVE PHREATOPHYTES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Coran and Vigil; also SENATOR(S) Sonnenberg.

Water Resources Review Committee. The bill establishes a 2-year grant program for the management of invasive phreatophytes, which are deep-rooted plants that consume water from the water table or the layer of soil just above the water table. Section 1 of the bill creates the invasive phreatophyte control program (program) to be administered by the Colorado water conservation board. To qualify for a grant, an applicant must propose a project for the management of invasive phreatophytes that utilizes best management practices that decrease the consumption of water and protect the riparian habitat native to each basin in which the projects are proposed.

In fiscal years 2015-16 and 2016-17, \$2 million is transferred from the severance tax operational fund to the Colorado water conservation board construction fund for implementation of the program.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/F67AD6EA00B4C33187257D90007828BF?Open&file=1006_rer.pdf

HOUSE BILL 15-1008

CONCERNING THE CLASSIFICATION OF AGRICULTURAL LAND WHEN THE LAND IS DESTROYED BY A NATURAL CAUSE.

BY REPRESENTATIVE(S) Hamner; also SENATOR(S) Roberts.

Wildfire Matters Review Committee. The bill specifies that if the productivity of agricultural land is destroyed by a natural cause on or after January 1, 2012, so that, were it not for such destruction, the land would have qualified as agricultural land for the following property tax year, the agricultural land classification is to remain in place for the year of destruction and the 4 subsequent property tax years unless:

! The productivity of the land is not rehabilitated for agricultural use before the end of the period, unless the property owner provides documentary evidence to the assessor that during the period a good faith effort was made to rehabilitate the productivity of the land but that additional time is necessary;

! The assessor determines that the classification at the time of destruction by a natural cause was erroneous; or

! A change of use, other than the destruction by a natural cause, has occurred.

The bill makes an exception to the 5-year rehabilitation period applicable to other agricultural land if the land is defined as agricultural land because it is used to produce tangible wood products, but only if such land is in compliance with an approved forest management plan and is on the list provided by the Colorado state forest service as having such a plan.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/EF7B2AB6A3AF688387257D9000782D60?Open&file=1008_enr.pdf

HOUSE BILL 15-1013

CONCERNING THE IMPLEMENTATION OF RECOMMENDATION NUMBER ONE SET FORTH IN THE STUDY OF THE SOUTH PLATTE RIVER ALLUVIAL AQUIFER PREPARED BY THE COLORADO WATER INSTITUTE PURSUANT TO HOUSE BILL 12-1278.

BY REPRESENTATIVE(S) Coram; also SENATOR(S) Sonnenberg and Hodge.

Water Resources Review Committee. Section 1 requires the Colorado water conservation board, in consultation with the state engineer, to administer 2 pilot projects in the areas of Gilcrest/LaSalle and Sterling to evaluate 2 alternative methods of lowering the water table in areas that are experiencing damaging high groundwater levels.

Section 2 of the bill authorizes the state engineer to review an augmentation plan submitted to a water court if it includes the construction of a recharge structure. The water court may approve the augmentation plan only if the state engineer either approves the operation and design of the proposed recharge structure after having determined that the application is not likely to cause injury or proposes changes to the operation and design of the proposed recharge structure as terms and conditions of the application.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/3B964FD9DFBC35EF87257D9000766151?Open&file=1013_rer.pdf

HOUSE BILL 15-1067

CONCERNING THE ESTABLISHMENT OF A CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM FOR LICENSED PSYCHOLOGISTS.

BY REPRESENTATIVE(S) Kraft-Tharp; also SENATOR(S) Newell.

The bill requires a licensed psychologist to complete continuing professional development and educational hours to maintain his or her license as a psychologist. The state board of psychologist examiners (board) is required to adopt rules establishing a continuing professional development program that includes:

! The development, execution, and documentation of a learning plan;

! A requirement that every 2 years a psychologist complete at least 40 hours of continuing professional development; and

! A requirement that the psychologist maintain documentation of the continuing professional development hours.

The bill allows the board to audit up to 5% of licensed psychologists each 2-year cycle to determine compliance with the requirements. The bill clarifies that the records of assessments or other documentation in connection with the continuing professional development are confidential.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/FD8DB211B2329D3F87257D900077FCA0?Open&file=1067_enr.pdf

HOUSE BILL 15-1072

CONCERNING HARASSMENT THROUGH AN INTERACTIVE ELECTRONIC MEDIUM.

BY REPRESENTATIVE(S) Fields; also SENATOR(S) Newell.

The bill makes changes to the harassment statute to cover situations in which a person uses an interactive electronic medium to harass another.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/AD65D9B969CF1E1887257D9000782361?Open&file=1072_enr.pdf

HOUSE BILL 15-1073

CONCERNING ALLOWING A DRIVER TO CHALLENGE THE VALIDITY OF A LAW ENFORCEMENT OFFICER'S INITIAL CONTACT WITH THE DRIVER.

BY REPRESENTATIVE(S) Salazar; also SENATOR(S) Ulibarri.

A provision of current law allows a driver to challenge the validity of a law enforcement officer's initial contact with the driver the driver's subsequent arrest for a DUI offense. The bill states that if a driver so challenges the validity of the law enforcement officer's initial contact and the evidence does not establish that the initial contact or arrest was constitutionally and statutorily valid, the driver is not subject to license revocation.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/1FF940CBA714DC7187257DA20061A8C3?Open&file=1073_enr.pdf

HOUSE BILL 15-1121

CONCERNING AGREEMENTS BETWEEN LANDOWNERS AND WIND ENERGY DEVELOPERS, AND, IN CONNECTION THEREWITH, CLARIFYING THE RIGHTS AND DUTIES OF PARTIES TO THOSE AGREEMENTS AND THE EFFECTS OF RECORDING AN AGREEMENT IN COUNTY LAND RECORDS.

BY REPRESENTATIVE(S) Becker; also SENATOR(S) Sonnenberg.

Current law declares that the right to wind energy is a property right appurtenant to the surface estate and governs the creation of agreements between an owner of surface rights and a wind energy developer.

The bill amends and adds relevant definitions, including the definition of a wind energy developer of record, which is the wind energy developer named in an agreement that is recorded in county land records. The bill also specifies that:

! Like other agreements affecting the title to real property, until a wind energy agreement is recorded, it is not binding on anyone other than the parties and those with notice of the agreement.

! Rights under a recorded wind energy agreement executed on or after July 1, 2012, expire after 15 years unless the agreement provides otherwise or unless wind-powered energy generation has occurred on the subject property.

! Once a wind energy developer has determined to begin construction of generating facilities under a wind energy agreement, the developer may record an affidavit stating when construction will begin. If no affidavit is recorded, the developer's rights will expire after 15 years unless the agreement provides otherwise.

! A wind energy agreement, as well as any release due to the termination or expiration of rights under the agreement, must be recorded in both the grantor and grantee indices and under the names of all parties.

! If a recorded wind energy agreement expires or is terminated, the wind energy developer of record is required to record a release. If the developer fails to do so within a specified period, the developer and any transferee of the developer's rights under the agreement are jointly and severally liable for any damages to the surface owner that result from the failure to record the release.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/14B0512F5FF180CD87257DA2006261AC?Open&file=1121_enr.pdf

HOUSE BILL 15-1166

CONCERNING THE CREATION OF A TRIBUTARY GROUNDWATER MONITORING NETWORK IN THE SOUTH PLATTE RIVER ALLUVIAL AQUIFER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Saine and Arndt; also SENATOR(S) Marble.

In 2012, the general assembly enacted House Bill 12-1278, which directed the Colorado water conservation board to contract with the Colorado Water Institute to conduct a study of the South Platte river alluvial aquifer. Recommendation 3.B. of the final study report was to implement a basin-wide groundwater monitoring network.

Section 1 of the bill directs the state engineer, in consultation with the board, to design and operate a tributary groundwater monitoring network in the South Platte river alluvial aquifer. The monitoring network consists of the following components:

! Groundwater wells to be used for monitoring groundwater levels with the goal of identifying ambient groundwater conditions and anthropogenic influences on the aquifer, including:

! The existing division of water resources groundwater monitoring network, the addition of data loggers on up to 20 existing wells in the network, and up to 10 wells to be added to the network in areas where there are data gaps;

! Wells that are part of an independent monitoring network and owned by qualified parties other than the division of water resources who submit their groundwater monitoring data to the monitoring network; and

! Other wells designated by the state engineer;

! Data analysis standards and protocols established by the state engineer; and

! Dissemination of the monitoring data on the division's web site.

Section 2 authorizes the use of the Colorado water conservation board construction fund to pay for the construction and maintenance of the network.

Section 3 appropriates \$60,000 from the Colorado water conservation board construction fund to the department of natural resources for use by the water resources division for implementation of the bill.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/CD9740A2A4F8B16887257D95001D8E20?Open&file=1166_enr.pdf

HOUSE BILL 15-1178

CONCERNING THE STATE ENGINEER'S AUTHORITY TO ALLOW WELL USERS TO LOWER THE WATER TABLE IN AN AREA THAT THE STATE ENGINEER DETERMINES IS EXPERIENCING DAMAGING HIGH GROUNDWATER LEVELS, AND, IN CONNECTION THEREWITH, ESTABLISHING AN EMERGENCY DEWATERING GRANT PROGRAM FOR THE PURPOSE OF LOWERING THE WATER TABLE IN AREAS OF GILCREST, COLORADO, AND STERLING, COLORADO AND MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Saine and Humphrey; also SENATOR(S) Marble and Sonnenberg.

The bill creates a 2-year emergency dewatering grant program (program) in the Colorado water conservation board (CWCB) and the emergency dewatering grant account (account) in the CWCB construction fund. The board, in collaboration with the state engineer, is authorized to award grants for emergency pumping of wells that are permitted for dewatering and are located within or near Gilcrest, Colorado. Pursuant to criteria and guidelines that the CWCB, in collaboration with the state engineer, will develop, grant recipients must engage in real-time data collection to accompany the emergency pumping of dewatering wells. On an annual basis, the CWCB shall report to the water resources review committee on its implementation of the program.

For fiscal year 2016-17, \$250,000 is transferred from the general fund to the account for implementation of the program.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/664B3FED986F45B587257DA2006179B9?Open&file=1178_rer.pdf

HOUSE BILL 15-1182

CONCERNING THE EXPANSION OF THE SCOPE OF PRACTICE OF CERTIFIED NURSE AIDES TO INCLUDE CERTAIN TASKS.

BY REPRESENTATIVE(S) Lontine and Landgraf; also SENATOR(S) Aguilar.

The bill allows a certified nurse aide who is deemed competent by a registered nurse to perform the following tasks:

! Digital stimulation, insertion of a suppository, or the use of an enema to stimulate a bowel movement;

! G-tube and j-tube feedings; and

! Placement in a client's mouth of presorted medication that has been boxed or packaged by a registered nurse, a licensed practical nurse, or a pharmacist.

A registered nurse who in good faith determines that a certified nurse aide is competent to perform the tasks is not liable for the actions of the certified nurse aide.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/B10A792E8D7573CF87257DC40083281A?Open&file=1182_enr.pdf

HOUSE BILL 15-1187

CONCERNING MENTAL HEALTH EVALUATIONS OF LICENSED VETERINARIANS CONDUCTED BY A VETERINARIAN PEER HEALTH ASSISTANCE PROGRAM AS ORDERED BY THE STATE BOARD OF VETERINARY MEDICINE.

BY REPRESENTATIVE(S) Lebsack; also SENATOR(S) Garcia and Sonnenberg.

Section 2 of the bill clarifies existing law with respect to the discretionary authority of the state board of veterinary medicine (board) to require a licensed veterinarian that the board refers to a peer health assistance program to enter into a stipulation with the board before participating in the peer health assistance program.

Section 3 authorizes the board, if it has reasonable cause to believe that a licensed veterinarian is unable to practice veterinary medicine with reasonable skill and safety to patients and clients due to a mental illness or condition or excessive use of alcohol, a habit-forming drug, or a controlled substance, to require the licensed veterinarian to submit to a mental health examination to determine the licensed veterinarian's ability to practice.

Section 3 4 authorizes the board, if it determines that a licensed veterinarian who submitted to a mental health examination can provide limited services with reasonable skill and safety to patients and clients, to enter into a confidential agreement with the licensed veterinarian to limit his or her practice based on the restrictions imposed by his or her illness, condition, or disorder, as determined by the board; however, the board shall not enter into a confidential agreement with a licensed veterinarian subject to discipline for habitual or excessive use or abuse of alcohol beverages, a habit-forming drug, or a controlled substance.

Section 1 establishes that a licensed veterinarian's failure to comply with a confidential agreement constitutes grounds for discipline.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/E230FDA2FDB7E25687257DCC005A3DC2?Open&file=1187_enr.pdf

HOUSE BILL 15-1197

CONCERNING LIMITATIONS ON INDEMNITY OBLIGATIONS IN PUBLIC CONSTRUCTION CONTRACTS.

BY REPRESENTATIVE(S) Tate; also SENATOR(S) Jahn.

Currently, public entities in construction-related contracts are prohibited from being indemnified for the public entity's own negligence. The bill clarifies this provision by specifying that:

! It also applies to a design contract and to an obligation to pay for the defense of the public entity;

! The contractor's obligation is limited to the amount of negligence attributable to the contractor and its agents, representatives, subcontractors, and suppliers; and

! The obligation only arises when the amount of its liability for the losses of the third party is determined by adjudication, alternative dispute resolution, or mutual agreement.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/98873347DAD3E9AA87257DC80063EBFE?Open&file=1197_enr.pdf

HOUSE BILL 15-1212

CONCERNING MAKING PERMANENT THE STATE BOARD OF LAND COMMISSIONERS' AUTHORITY TO SELL STATE TRUST LAND TO LOCAL GOVERNMENTS.

BY REPRESENTATIVE(S) Becker K.; also SENATOR(S) Kerr and Merrifield.

In 2010, a law was enacted that allowed the state board of land commissioners (board) to convey land to units of local government if the conveyance would add value to adjoining or nearby state trust property, benefit board operations, or comply with local land use regulations. When enacted, the authority was set to repeal on July 1, 2015. The bill repeals that automatic repeal and makes the board's authority permanent.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/3AE5D952C8179E4D87257DD50056A752?Open&file=1212_enr.pdf

HOUSE BILL 15-1213

CONCERNING CLARIFICATIONS IN CONNECTION WITH THE RESPONSIBILITIES OF THE OFFICE OF INFORMATION TECHNOLOGY.

BY REPRESENTATIVE(S) Tate and Tyler; also SENATOR(S) Martinez Humenik and Neville T..

Joint Technology Committee. The bill makes the following modifications in connection with the office of information technology (office):

! Defines "enterprise agreement" for purposes of the office as an agreement to purchase information technology equipment and other information technology-related goods or services;

! Redefines "enterprise facility" for purposes of the office to include specified state buildings and vendor facilities where state data, equipment, information technology, and information technology-related goods will be stored or where information technology-related services will be performed;

! Clarifies that procuring enterprise facilities and using enterprise agreements for procurement purposes are included in the responsibilities of the office; and

! Eliminates provisions that exempt the office from using emergency procurement procedures specified in the "Procurement Code" and that require the office to promulgate rules for emergency procurement procedures.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/D473777BF0D4F93A87257DD30082DFEC?Open&file=1213_enr.pdf

HOUSE BILL 15-1215

CONCERNING IN-STATE TUITION CLASSIFICATION FOR DEPENDENTS OF ACTIVE DUTY MILITARY MEMBERS WHO HAVE ATTENDED SCHOOL IN COLORADO.

BY REPRESENTATIVE(S) Priola; also SENATOR(S) Johnston.

The bill permits in-state tuition status to the dependents of active duty members of the armed forces of the United States if the member moves to Colorado on a permanent duty assignment. Dependents do not lose in-state tuition status if the child is under twenty-three and enrolls in a Colorado institution within twelve years after the member was stationed in Colorado. The bill repeals an obsolete tuition status for active duty military members who are covered pursuant to the presumptions in statute relating to granting in-state tuition status.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/93E81767A57AE80687257DC80079CCB5?Open&file=1215_enr.pdf

HOUSE BILL 15-1220

CONCERNING RESPONSE TO SEXUAL ASSAULT ON CAMPUSES OF COLORADO'S INSTITUTIONS OF HIGHER EDUCATION.

BY REPRESENTATIVE(S) Danielson and Ryden; also SENATOR(S) Cooke and Martinez Humenik.

The bill requires all public institutions of higher education and private institutions of higher education that enter into a performance contract with the state (institutions) to enter into at least one memorandum of understanding with a nearby medical facility or other facility that employs persons trained in sexual assault patient care and sexual assault forensic evidence collection. Additionally, the bill requires institutions to:

! Post information on the institution's web site concerning where a sexual assault medical forensic examination may be obtained; and

! Have a sexual assault training and response policy that includes training for staff, referral to victim advocates, and transportation or assistance in transportation to the facility.

The bill also establishes a grant program in the division of criminal justice in the department of public safety to increase the availability of sexual assault medical forensic examination programs in communities with an institution.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/46A51D12DC799A8B87257DA200617ACD?Open&file=1220_enr.pdf

HOUSE BILL 15-1230

A BILL FOR AN ACT CONCERNING THE CREATION OF THE INNOVATIVE INDUSTRIES WORKFORCE DEVELOPMENT PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Lee and Foote; also SENATOR(S) Heath and Cooke.

The bill creates the innovative industries workforce development program in the department of labor and employment (department) to be jointly administered by the state work force development council (state council) and the division of employment and training (division). The state council will provide oversight and strategic administration and the division will provide operational administration. The purpose of the program is to reimburse a business for one-half of its expenses related to a qualifying internship. A qualifying internship is one that:

- ! Is in an innovative industry;
- ! Is for at least 130 hours and lasts up to 6 months;
- ! Allows students to gain valuable work experience in at least 2 specified occupational areas;
- ! Pays the intern at least \$10 per hour;
- ! Provides a mentor or supervisor that will work closely with the intern;
- ! Is not for the purpose of meeting required residency or clinical hours for the intern;
- ! Is with an innovative-industry business that has a physical operation facility in the state;
- ! Is for a high school or college student, a resident who is a student at an out-of-state college, or a recent graduate of either; and
- ! Along with all other internships, constitutes less than 50% of the business's workforce located in the state.

A business may be reimbursed for up to 5 interns per location and up to 10 at all locations, but the maximum amount that a business may be reimbursed for each internship is \$5,000. At least one-half of the reimbursement amount must be paid to the intern. A business is required to receive preapproval from the division prior to or during the internship.

The state council may enter into an agreement with one or more intermediaries, which are innovative-industry associations, to facilitate outreach to employers, market the program, and identify work experience opportunities.

The division is required to solicit information about internships that were reimbursed through the program, and the state council is required to submit a report to legislative committees about the program.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/D7B129A16FF7C8AB87257DA40002C FB5?Open&file=1230_rer.pdf

HOUSE BILL 15-1262

CONCERNING SEPARATE LEGAL ENTITIES ESTABLISHED BY A CONTRACT BETWEEN TWO OR

MORE POLITICAL SUBDIVISIONS OF THE STATE, AND, IN CONNECTION THEREWITH, CLARIFYING THE LEGAL STATUS AND SCOPE OF POWERS OF SUCH AN ENTITY.

BY REPRESENTATIVE(S) Rosenthal; also SENATOR(S) Balmer.

Current law allows 2 or more governments, including federal agencies and political subdivisions of a state that borders Colorado, to contract to establish a separate legal entity to provide any function, service, or facility that each government has legal authority to provide on its own. The bill clarifies that a separate legal entity formed by a contract between two or more counties, municipalities, special districts, or other political subdivisions of the state:

! Is itself a political subdivision and public corporation of the state if the contract forms the entity in accordance with and makes the entity subject to the provisions of the bill;

! May, to the extent provided by the contract or an amendment to the contract and deemed by the contracting parties to be necessary or convenient to allow the entity to achieve its purposes, exercise any general power of a special district if each of the parties to the contract may lawfully exercise the power; except that it may not levy a tax or exercise the power of eminent domain if the establishing contract makes the entity subject to the provisions of the bill.

! Is authorized to issue tax-exempt revenue bonds, notes, or other financial obligations and acquire, sell, or lease property.

A contract establishing a separate legal entity must include specified information regarding the name, purpose, and governance of the entity.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/3009952EB66664DB87257DE00066E09F?Open&file=1262_enr.pdf

HOUSE BILL 15-1266

CONCERNING THE INFORMATION TECHNOLOGY BUDGET REQUEST PROCESS.

BY REPRESENTATIVE(S) Rankin; also SENATOR(S) Lambert.

Joint Budget Committee. During the 2014 legislative session, the general assembly moved the review and prioritization responsibility for information technology budget requests previously requested as capital construction to the joint technology committee. At the same time, the general assembly also removed information technology budget requests from the definition of capital construction. The bill modifies certain procedures and practices in connection with the information technology budget request process.

The bill requires that any new or amended information technology budget request or supplemental information technology budget request that is submitted to the joint technology committee for prioritization for funding must clearly identify and quantify anticipated administrative and operating efficiencies or program enhancements and service expansion through cost-benefit analyses and return on investment calculations.

Current law specifies a process by which any department, institution, or agency of the state, including any institution of higher education, may request permission to make an expenditure in excess of the amount

authorized by an item of appropriation for a particular fiscal year under certain circumstances. This process includes appropriations for general operating and capital construction appropriations. Currently, the process does not include information technology appropriations, as they are no longer included in the definition of capital construction. The bill specifies that a department, institution, or agency of the state, including any institution of higher education, may use the process to request permission to make an expenditure in excess of the amount authorized by the appropriation for the fiscal year for information technology project appropriations.

Due to the removal of information technology budget requests from the definition of capital construction, current law requires that information technology requests be funded through the general fund rather than from the capital construction fund. The bill creates the information technology capital account in the capital construction fund. The general assembly is authorized to make appropriations from the account for information technology projects in the same manner that it makes appropriations from the capital construction fund for capital construction projects. The account consists of any moneys appropriated or transferred to the account by the general assembly.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/CFA6C8367ACA36F487257DCD000B3B12?Open&file=1266_enr.pdf

HOUSE BILL 15-1274

CONCERNING THE CREATION OF CAREER PATHWAYS FOR STUDENTS FOR CRITICAL OCCUPATIONS IN GROWING INDUSTRIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Garnett and Melton; also SENATOR(S) Kerr and Woods.

Based upon the model developed for creating the manufacturing career pathway, the bill directs the state work force development council (state council) to coordinate multiple agencies and industries in the design of industry-driven career pathways for critical occupations in growing industries. The state council will work with partners through the talent pipeline work group to define critical occupations and growing industries to determine which career pathways to design and in what order.

The bill includes the initial time frame for the development of career pathways and specifies that the first 3 career pathways will be in construction and related skilled trades, information technology, and health care. At least one career pathway must be designed and ready for implementation in the first year, and at least 2 career pathways must be created annually in subsequent years. The career pathways must include provisions that allow students to learn industry-related skills and obtain employment in the industry sector, including internship and apprenticeship opportunities, when relevant and available, as well as advance to higher levels of employment or education. The state council will provide outreach and training to agency partners and industries related to advising students on the career pathways.

The bill requires the state board of community colleges and occupational education to collaborate with the state council in the design of the career pathways and to use the development model created for the design of the manufacturing career pathway.

The bill requires information about the career pathway to be posted on-line.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/4863EAB6445E8E6D87257DFD00773431?Open&file=1274_enr.pdf

HOUSE BILL 15-1285

CONCERNING USE OF BODY-WORN CAMERAS BY LAW ENFORCEMENT OFFICERS, AND, IN CONNECTION THEREWITH, ESTABLISHING A GRANT PROGRAM AND A STUDY GROUP TO RECOMMEND POLICIES ON THE USE OF BODY-WORN CAMERAS AND MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Kagan and Williams; also SENATOR(S) Cooke and Ulibarri.

The bill establishes the body-worn camera grant program in the division of criminal justice to award grants to law enforcement agencies to purchase body-worn cameras, to pay for associated data retention and management costs, and to train law enforcement officers on their use. It creates a fund to receive gifts, grants, and donations.

The bill establishes a study group appointed by the executive director of the department of public safety to study policies and best practices on the use of body-worn cameras by law enforcement officers and to recommend policies to be adopted by law enforcement agencies on the use of such cameras. The group will also recommend enforcement mechanisms for the public when a policy is not followed. The group is to submit its recommendations in a report to specified committees of the general assembly by March 1, 2016.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/8BEA498E90715ED087257DA200621458?Open&file=1285_rer.pdf

HOUSE BILL 15-1287

A BILL FOR AN ACT CONCERNING MEASURES TO IMPROVE PEACE OFFICER TRAINING.

BY REPRESENTATIVE(S) Williams; also SENATOR(S) Cooke.

Currently there are 20 members of the peace officers standards and training board (P.O.S.T. board). The bill expands the membership to 24 members by adding 4 more lay members to the P.O.S.T. board. The bill requires the governor to consider an applicant's age, gender, race, professional experience, and geographic location when making appointments to the board.

The bill expands the P.O.S.T. board's duties to include:

! Completing a review and evaluation of the basic academy curriculum, including using community outreach as a review and evaluation component, by January 1, 2016, and every 5 years thereafter;
! Establishing, adding, and removing, as necessary, subject matter expertise committees to develop skills training programs, academic curriculums, and P.O.S.T. board rules; reviewing documents for and approving or denying academy programs, lesson plans, training sites, and skills instructors; and assisting P.O.S.T. board staff with academy inspections and skills test-outs;
! Developing a community outreach program that informs the public of the role and duties of the P.O.S.T. board; and

! Developing a recruitment program that creates a diversified applicant pool for appointments to the P.O.S.T. board and the subject matter expertise committees.

The bill requires the chair of the P.O.S.T. board to consider an applicant's age, gender, race, professional experience, and geographic location when making appointments to the subject matter committees. The subject matter expertise committees must have at least 4 lay members who have law enforcement expertise or expertise in providing effective training through professional experience or subject matter training. At least one of the non-law enforcement members shall reside in a county with 25,000 residents or less.

The bill requires the P.O.S.T. board to include a 2-hour anti-bias course and, in alternating years, either a 2-hour community policing course or a 2-hour situation de-escalation training program in the annual in-service training. The courses must be available by January 1, 2016, and all certified peace officers shall satisfactorily complete the courses by July 1, 2016, and then at least once every 5 years thereafter. The P.O.S.T. board shall suspend a peace officer's certification if he or she does not complete the training and reinstate the certification upon completion of the certification.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/252F11DBE4CC104387257DB10065E880?Open&file=1287_rer.pdf

HOUSE BILL 15-1290

CONCERNING PROHIBITING A PEACE OFFICER FROM INTERFERING WITH A PERSON LAWFULLY RECORDING A PEACE OFFICER-INVOLVED INCIDENT.

BY REPRESENTATIVE(S) Salazar and Esgar; also SENATOR(S) Guzman and Balmer.

The bill creates a right of recovery against a peace officer's employing law enforcement agency if a person records an incident involving a peace officer and a peace officer destroys the recording or seizes the recording without receiving consent or obtaining a warrant or if the peace officer intentionally interferes with the recording, or retaliates against the person making the recording, or refuses to return the person's recording device that contains a recording of a peace officer-involved incident within a reasonable time period and without legal justification.

The aggrieved property owner may submit an affidavit to the peace officer's employing law enforcement agency stating the facts, describing the damage to the owner's property, and a verifiable estimate of the replacement cost for any damaged or destroyed device. The owner may claim \$500 as the value for a

damaged or destroyed recording. After receipt of the affidavit, the law enforcement agency has thirty days to either pay the aggrieved property owner the amount requested in the affidavit or issue a denial of the request in writing. If the agency denies the request, the aggrieved property owner may bring a civil action against the peace officer's employing law enforcement agency for actual damages, including the replacement value of the device, \$500 for any damaged or destroyed recording, and any costs and fees associated with the filing of the civil action. The court may order punitive damages up to fifteen thousand dollars and attorneys' fees to the property owner upon a finding that the denial by the law enforcement agency to reimburse the person was made in bad faith. If the court finds that an action brought by a property owner is frivolous and without merit, the court may award the law enforcement agency its reasonable costs and attorneys' fees.

The bill creates a right to lawfully record any incident involving a peace officer and to maintain custody and control of that recording and the device used to record the recording. A peace officer is prohibited from seizing a recording or recording device without consent, without a search warrant or subpoena, or without a lawful exception to the warrant requirement. A peace officer has the authority to temporarily seize and maintain control over a device that was used to record an incident involving a peace officer until a search warrant can be obtained when exigent circumstances exist such that the peace officer believes it is necessary to save a life or when the peace officer has a reasonable, articulable, good-faith belief that seizure of the device is necessary to prevent the destruction of the evidentiary recording while a warrant is obtained.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/EB14DB37464042EB87257DCB007BC071?Open&file=1290_rer.pdf

HOUSE BILL 15-1294

CONCERNING ALIGNMENT OF STATE LAW REGARDING IN-STATE TUITION CLASSIFICATION WITH THE FEDERAL "VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014".

BY REPRESENTATIVE(S) Lee and Keyser; also SENATOR(S) Todd and Hill.

The bill requires state institutions of higher education (institutions) to classify as in-state students for tuition purposes a "covered individual" as defined in federal law pursuant to the "Veterans Access, Choice, and Accountability Act of 2014" (act). Under the act, qualifying veterans, spouses, and dependents must be granted in-state tuition, or the institution may be disqualified from participating in the post-9/11 and Montgomery GI bill programs.

To be classified as an in-state student for tuition purposes, a covered individual must reside in Colorado while attending a state institution and must be enrolled in courses with federal educational assistance benefits.

Students classified pursuant to this section are eligible to receive the college opportunity fund stipend.

Bill Link:

HOUSE BILL 15-1344

CONCERNING THE FINANCING OF STATE CAPITAL CONSTRUCTION PROJECTS THAT ARE INCLUDED IN THE NATIONAL WESTERN CENTER OR CAPITOL COMPLEX MASTER PLANS, AND, IN CONNECTION THEREWITH, AUTHORIZING THE STATE TO ENTER INTO LEASE-PURCHASE AGREEMENTS TO FINANCE FACILITIES FOR COLORADO STATE UNIVERSITY THAT ARE INCLUDED IN THE NATIONAL WESTERN CENTER MASTER PLAN, CREATING THE NATIONAL WESTERN CENTER TRUST FUND, AND CREATING A CAPITOL COMPLEX MASTER PLAN IMPLEMENTATION FUND AS A FUNDING SOURCE FOR PROJECTS THAT ARE INCLUDED IN THE CAPITOL COMPLEX MASTER PLAN.

BY REPRESENTATIVE(S) Duran and Becker J.; also SENATOR(S) Sonnenberg and Steadman.

The creation of the national western center (NWC) is a partnership among the western stock show association, the city and county of Denver, Colorado state university (CSU), the Denver museum of nature and science, and history Colorado, formed for the purpose of building and operating a new year-round, multi-purpose national western center on and near the existing site of the Denver coliseum and historic national western stock show complex.

Among other things, the NWC master plan provides for an integrated facilities program that includes a variety of facilities for CSU, including an equine sports medicine clinic, a collaborative community outreach veterinary clinic and clinical trials center, a water resources center, and a Colorado state university center that may include: a food systems innovation and learning center; a Denver urban extension center; an educational urban farm with demonstration fields; classrooms; laboratories; and a test kitchen and administrative space. Other facilities and CSU spaces may be identified as design progresses.

Subject to specific project approval by the Colorado commission on higher education, the office of state planning and budgeting, and the capital development committee and inclusion of the projects to be financed in the governor's annual executive budget proposed to the general assembly, the bill authorizes the state, acting by and through the state treasurer, to enter into lease-purchase agreements in a total principal amount not to exceed \$250 million and with a maximum term of principal and interest payments of 20 years for the purpose of financing the construction of facilities for CSU at the NWC and affiliated facilities on the CSU campus. Such a lease-purchase agreement does not create any liability or indebtedness of CSU.

No later than August 1, 2016, and no later than August 1 of each year thereafter, the national western center partnership must submit an annual national western center project report to the offices of the governor, the speaker and minority leader of the house of representatives, and the president and minority leader of the senate. The report must include an update on the national western center project work plan and a general progress report. If the NWC is requesting state funding based upon the phased development schedule for the national western center project, it must also provide information regarding necessary facility programming and an estimated budget.

The national western center trust fund is created, and the state treasurer is required to annually transfer

general fund moneys to the trust fund for any fiscal year commencing on or after July 1, 2019, in the amount equal to the lesser of \$20 million or the amount of the annual payments due on any outstanding lease-purchase agreements. Subject to annual appropriation by the general assembly, CSU may expend money from the trust fund to make lease payments.

The capitol complex master plan implementation fund (implementation fund) is created. On July 1, 2019, and on July 1 of each succeeding fiscal year, the state treasurer, upon the request of the capital development committee, may make a transfer from the general fund to the implementation fund in an amount equal to \$20 million less the amount transferred to the national western center trust fund subject to the following limitations:

! If the state has not entered into lease-purchase agreements and no transfer is made to the national western center trust fund, \$10 million may be transferred to the implementation fund and \$10 million may be transferred to the controlled maintenance trust fund; and

! The total amount transferred to the implementation fund may not exceed \$80 million.

Subject to project-specific approval by the capital development committee and annual appropriation by the general assembly, the department of personnel may expend money from the implementation fund for any project that is included in the capitol complex master plan.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/9932FEF074ABF8F987257DDD005FC506?Open&file=1344_rer.pdf

HOUSE BILL 15-1366

CONCERNING THE EXPANSION OF THE COLORADO JOB GROWTH INCENTIVE TAX CREDIT TO ALLOW CREDITS FOR BUSINESSES THAT ENTER INTO A QUALIFIED PARTNERSHIP WITH A STATE INSTITUTION OF HIGHER EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Pabon and Willett; also SENATOR(S) Balmer.

The bill allows a taxpayer to receive an income tax credit through the existing job growth incentive tax credit commencing on or after January 1, 2015, but prior to January 1, 2018, if the project will be a qualified partnership between the taxpayer and a state institution of higher education, is located on or within one mile of the campus of or on other property owned by the state institution of higher education, and brings a net job growth of at least 5 new jobs to the state with an average yearly wage of at least 100% of the statewide average yearly wage.

The bill also specifies that if the project is a qualified partnership then:

! The Colorado economic development commission need not determine that the credit is a major factor in the taxpayer's decision to locate or retain the project in Colorado;

! The taxpayer need not identify the cost differential in the projected costs of the project compared to the projected costs if the were project commenced in a competing state; and

! The taxpayer need not provide documentation to demonstrate that the credit is a major factor in the decision to locate the project in the state.

Additionally, the bill specifies that if the project is a qualified partnership and the taxpayer is a business that has operated for 5 or fewer years in the state and did not relocate to the state from another state, then the credit is refundable.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/C0D802DD00983C6587257DFE006B081A?Open&file=1366_rer.pdf

HOUSE BILL 15-1367

CONCERNING RETAIL MARIJUANA TAXES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVES(S) Hamner; also SENATOR(S) Steadman.

Joint Budget Committee. If necessary, the bill refers a ballot issue to the voters at the November 3, 2015, statewide election to allow the state to retain and spend state revenues that would otherwise be refunded for exceeding an estimate included in the ballot information booklet for proposition AA, which was the referendum by which voters approved retail marijuana taxes. If voters reject the ballot issue, then the moneys will be refunded as follows based on current projections:

! \$13.3 million will be refunded through a temporary retail marijuana sales tax rate reduction from 10% of the sales price to .01% beginning on January 1, 2016, and ending on or before June 30, 2016;

! \$19.7 million will be refunded to the marijuana cultivation facilities for all of the retail marijuana excise taxes collected during the fiscal year 2015-16; and

! \$25 million will be refunded through a sales and use tax refund.

If voters approve the ballot measure, then moneys set aside for the potential refund related to proposition AA will instead be used as follows:

! \$40 million is transferred to the public school capital construction assistance fund;

! \$12 million is appropriated for youth programs, marijuana education and prevention programs, law enforcement services, substance abuse programs, poison control services, which are expanded to include other means of communication such as text messaging, instant messaging, and email, and the newly created local government retail marijuana impact grant program; and

! \$6 million will remain in the general fund.

The refund or alternative spending is made or backfilled from revenue in the newly created proposition AA account, which consists of \$27.7 million from the marijuana tax cash fund and \$30.3 million from the general fund. To repay the general fund, the existing transfers of marijuana tax revenue from the general fund to the marijuana tax cash fund are reduced in the future. The timing of the repayment depends on whether a refund is made.

In addition to the rate-reduction refund, if actual fiscal year spending or the marijuana tax revenue for the fiscal year 2014-15 exceeds the estimates included in the ballot information booklet for proposition AA, then the rates for both the retail marijuana taxes are reduced on September 16, 2015, as required by the state constitution. Then, consistent with the authority conferred by voters through proposition AA, the rates are increased back to their current levels on September 17, 2015. Finally, beginning on July 1,

2017, and unrelated to either the potential rate reduction or refund, the retail marijuana sales tax rate is reduced from 10% to 8% of the amount of the sale.

If refunds are required, a local government's share is halved until the total reduction in the local government's distributions is equal to the amount of retail marijuana sales tax revenue that the local government received for the fiscal year 2014-15. The total amount of distributions to all local governments for the fiscal year 2014-15 is currently estimated to be to \$5.9 million.

Any marijuana excise taxes above \$40 million collected in a fiscal year are credited to the public school fund created in the state constitution, instead of the marijuana tax cash fund. The permissible uses for the moneys in the marijuana tax cash fund are broadened. The marijuana enforcement division in the department of revenue is required to include a link on its web site that describes how the retail marijuana taxes and the 2.9% state sales tax on retail marijuana are expended for each fiscal year.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/CE570342F005495687257E27007E922D?Open&file=1367_rer.pdf

HOUSE BILL 15-1373

CONCERNING THE CREATION OF A PROVISIONAL CERTIFICATION TO PRACTICE SPEECH-LANGUAGE PATHOLOGY.

BY REPRESENTATIVE(S) Singer; also SENATOR(S) Aguilar.

Current law requires applicants seeking a certification in speech-language pathology to complete certain educational requirements, pass a national examination, and complete a clinical fellowship. The bill allows applicants who have completed the educational requirements and passed the national examination to apply for a provisional certification before completing a clinical fellowship.

A provisional certificate holder may practice speech pathology only under the general supervision of a speech-language pathologist who holds a certificate of clinical competence from the American Speech-Language-Hearing Association.

The provisional certification expires after 24 months or when the director issues the provisional certificate holder a full certification, whichever occurs first.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/A6F53530DA550B6087257E260050F1B6?Open&file=1373_rer.pdf

HOUSE BILL 15-1392

CONCERNING CHANGES TO THE STATE'S PAYROLL SYSTEM TO ALLOW ALL STATE EMPLOYEES TO BE PAID TWICE A MONTH.

BY REPRESENTATIVE(S) Young and Tate; also SENATOR(S) Newell and Neville.

Currently, the majority of state employees who are paid through the state's payroll system are paid on a monthly basis and some state employees are paid based on a bi-weekly pay period. For pay periods that begin on or after July 1, 2017, the bill implements a pay system in which all state employees who are paid through the state's payroll system are paid twice a month.

The bill specifies that beginning on July 1, 2017, state employees will be paid as follows:

! For employees hired on or after July 1, 2017, for work performed from the first day of the month through the 15th day of the month, employees will be paid on the last day of the same month, and for work performed from the 16th day of the month through the last day of the month, employees will be paid on the 15th day of the next month.

! For employees hired prior to July 1, 2017, employees will be paid as specified above; except that, for work performed from the first day of June through the 15th day of June, employees will be paid on July 1.

The bill allows any state employee to apply to the department of personnel for a one-time loan to assist the employee in July 2017. The amount of the loan cannot be more than an amount equal to the employee's net pay for a half-month pay period. The bill specifies 2 repayment options for employees who choose to take advantage of the loan and allows an employee to repay the loan early with no prepayment penalty. If an employee separates from state employment prior to the full loan repayment, the balance of the loan will be deducted from the employee's last paycheck.

The bill also makes necessary conforming amendments to allow the state's payroll system to pay employees twice a month.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/42F38D02404C35D087257E36008072BD?Open&file=1392_rer.pdf

Senate Bills Enacted

SENATE BILL 15-008

CONCERNING THE PROMOTION OF WATER CONSERVATION IN THE LAND USE PLANNING PROCESS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY SENATOR(S) Roberts; also REPRESENTATIVE(S) Vigil.

Water Resources Review Committee. The bill requires the water efficiency plans adopted by large water providers to evaluate best management practices for water demand management, water efficiency, and water conservation that may be implemented through land use planning efforts. To assist the providers in meeting this directive, the bill directs the Colorado water conservation board (CWCB), in consultation with the division of planning in the department of local affairs (DOLA), to:

! Develop and provide free training programs, on a recurring basis, for local government water use, water demand, and land use planners regarding best management practices for water demand management,

water efficiency, and water conservation; and

! Make recommendations regarding how to better integrate water demand management and conservation planning into land use planning, including, as appropriate, legislative, regulatory, and guidance or policy recommendations.

The bill appropriates \$50,000 to the department of natural resources from the Colorado water conservation board construction fund for use by the CWCB.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/67F39420DEEA953487257D90007826C5?Open&file=008_enr.pdf

SENATE BILL 15-010

CONCERNING AUGMENTATION REQUIREMENTS FOR WELLS WITHDRAWING WATER FROM THE DAWSON AQUIFER.

BY SENATOR(S) Hodge; also REPRESENTATIVE(S) Mitsch Bush.

Water Resources Review Committee. Current law specifies that, beginning July 1, 2015, augmentation requirements for the withdrawal of water from the Dawson aquifer must be based on actual aquifer conditions. The bill repeals this requirement, thereby continuing current law, which requires replacement of actual out-of-priority depletions to the stream; except that the replacement of post-pumping depletions is required only if necessary to compensate for injury.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/03B191C49E642CA187257D900078277D?Open&file=010_enr.pdf

SENATE BILL 15-013

CONCERNING EXTENDING THE DEADLINE FOR PEACE OFFICERS TO COMPLETE DOG ENCOUNTER TRAINING TO JUNE 30, 2015.

BY SENATOR(S) Balmer; also REPRESENTATIVE(S) Court and Coram.

Currently, law enforcement officers are required to complete dog encounter training by January 1, 2015, and any officer hired on or after January 1, 2015, must complete the training within a year of being hired. The bill moves the deadline to June 30, 2015.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/318A2B25895D5F1787257D900078385D?Open&file=013_enr.pdf

SENATE BILL 15-015

CONCERNING A CLARIFICATION OF BENEFITS FOR AUTISM SPECTRUM DISORDERS IN HEALTH BENEFIT PLANS ISSUED IN THIS STATE.

BY SENATOR(S) Kefalas; also REPRESENTATIVE(S) Primavera.

The bill includes autism spectrum disorders in the state's mental health parity law and repeals a provision that specifies that autism is not to be treated as a mental illness for purposes of health care coverage, thereby clarifying that health benefit plans issued in this state must include health care benefits for autism spectrum disorders that are no less restrictive than benefits available for a physical illness.

Additionally, the bill:

! Removes reference to any caps on the number of services or visits covered under a health benefit plan for the assessment, diagnosis, and treatment of autism spectrum disorders;

! Modifies the definitions of "autism spectrum disorders" and "treatment for autism spectrum disorders"; and

! Specifies that a nationally registered behavior technician may provide direct services to a person with an autism spectrum disorder under the supervision of another autism services provider.

The bill takes effect on and applies to health benefit plans issued, delivered, or renewed on or after January 1, 2017.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/4BE7A5B240556A0587257DA2006216B8?Open&file=015_enr.pdf

SENATE BILL 15-022

CONCERNING THE WILDFIRE RISK REDUCTION GRANT PROGRAM.

BY SENATOR(S) Roberts; also REPRESENTATIVE(S) Brown.

Wildfire Matters Review Committee. In 2013, the general assembly created the wildfire risk reduction grant program, funded through the wildfire risk reduction fund. An initial transfer of \$9,800,000 was made from the general fund to the wildfire risk reduction fund as a result of that legislation. **Section 4** of the bill directs the state treasurer to make a similar transfer up to \$1,000,000 of any available moneys from the severance tax operational fund to the wildfire risk reduction fund, effective July 1, 2015.

Sections 1 and 3 change terminology to broaden references to hazardous fuels from "forest" to "wild land vegetation" and specify methods of manipulation or removal of fuel.

Section 2:

! Encourages grant applicants to utilize the labor of veterans participating in an accredited Colorado corps program serving veterans; and
! Removes the requirement for grant applicants to specify the location of projects in relation to United States forest service (USFS) projects using USFS maps.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/8693AE2D9D31F13887257D9000766206?Open&file=022_enr.pdf

SENATE BILL 15-046

CONCERNING REDUCING THE COST OF ATTAINMENT OF RENEWABLE ENERGY STANDARDS BY ELECTRIC UTILITIES THAT ARE NOT INVESTOR-OWNED, AND, IN CONNECTION THEREWITH, ALLOWING PURCHASES OF ELECTRICITY FROM COMMUNITY SOLAR GARDENS BY COOPERATIVE ELECTRIC ASSOCIATIONS TO QUALIFY AS RETAIL DISTRIBUTED GENERATION.

BY SENATOR(S) Grantham; also REPRESENTATIVE(S) Moreno.

Under Colorado's renewable energy standard, by the year 2020, cooperative electric associations and municipally owned electric utilities will be required to obtain at least 10% and, in the case of a large cooperative serving 100,000 or more customers, 20% of the electricity they sell at retail from renewable sources. Renewable sources include "retail distributed generation", defined as a renewable energy resource located on the site of the customer's facilities and interconnected on the customer's side of the meter. Rooftop solar panels are the most common form of retail distributed generation. The renewable energy standard requires a minimum percentage of each utility's renewable portfolio to consist of retail distributed generation.

The bill allows cooperative electric associations to:

! Subtract industrial retail sales from total retail sales in calculating their minimum retail distributed generation requirements; and

! Use purchases from community solar gardens to meet the retail distributed generation component of the renewable energy standard.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/4D7BFC7688B8CEB387257DA4000311AC?Open&file=046_enr.pdf

SENATE BILL 15-058

CONCERNING STATEWIDE POLICIES AND PROCEDURES FOR LAW ENFORCEMENT AGENCIES THAT CONDUCT EYEWITNESS IDENTIFICATIONS.

BY SENATOR(S) Guzman; also REPRESENTATIVE(S) Kagan.

The bill requires all Colorado law enforcement agencies (law enforcement) to adopt, on or before July 1, 2016, written policies and procedures (policies) relating to eyewitness identifications. The policies must include protocols related to the use of photo arrays, live lineups, and showup identification procedures; instructions for an eyewitness that clearly state that the perpetrator might not be in the lineup; instructions regarding the use of live or photo fillers in a lineup or array; instructions for eyewitnesses that advise the eyewitness that the perpetrator may or may not be in the photo array or live lineup and that the investigation will continue whether or not the eyewitness identifies an alleged perpetrator; and instructions for obtaining a statement from the eyewitness concerning the eyewitness' confidence in his or her identification.

Law enforcement on agencies that conduct eyewitness identifications shall complete and adopt the written policies and procedures on or before July 1, 2016. The policies must be made available, without cost, to the public upon request. Subject to available resources, law enforcement shall approve professional training programs relating to eyewitness identifications, and the programs may be created, provided, or conducted by any law enforcement agency, the office of the attorney general, the Colorado district attorneys' council, or any other P.O.S.T-approved training entity. Policies and procedures adopted and implemented by a law enforcement agency shall be reviewed by the agency at least every five years. Compliance or failure to comply with written policies is considered relevant evidence in any case involving eyewitness identification.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/6BADB6E201D16DBB87257DA20061721E?Open&file=058_enr.pdf

SENATE BILL 15-128

CONCERNING REPORTS TO LAW ENFORCEMENT BY MEDICAL FACILITIES WITH THE CONSENT OF A VICTIM OF A SEXUAL ASSAULT.

BY SENATOR(S) Carroll; also REPRESENTATIVE(S) Landgraf and Primavera.

Current law requires a medical facility to report to law enforcement when certain medical personnel collect medical forensic evidence of a sexual assault (evidence) if the victim consents. The bill adds nurses to the medical personnel. The bill requires the report to be:

! A law enforcement report if the victim requests that the evidence be collected and at the time of the medical treatment chooses to participate in the criminal justice system;

! A medical report if the victim requests that the evidence be collected but at the time of the medical treatment chooses not to participate in the criminal justice system; or

! An anonymous report if the victim consents to the collection of the evidence but at the time of the medical treatment chooses not to have personal identifying information disclosed to law enforcement or to participate in the criminal justice system.

For an anonymous report, the medical facility shall not provide information identifying the victim to law enforcement, and law enforcement shall not submit the evidence for testing. For a law enforcement or

medical report, law enforcement shall submit the evidence for testing pursuant to existing law. The bill clarifies that a victim may speak anonymously to law enforcement and that no report is required if evidence is not collected.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/54CD014F59742BEC87257D9000780D04?Open&file=128_enr.pdf

SENATE BILL 15-183

CONCERNING THE QUANTIFICATION OF THE HISTORICAL CONSUMPTIVE USE OF A WATER RIGHT.

BY SENATOR(S) Hodge and Sonnenberg; also REPRESENTATIVE(S) Arndt and Becker.

When a water judge decrees a change of water right, the bill:

! Requires that a quantification of the actual historical consumptive use of the water right be based on a representative study period that:

! Includes wet years, dry years, and average years;

! Does not include undecreed use of the subject water right; and

! Need not include every year of the entire history of use of the subject water right.

! Prohibits reconsideration or requantification of the historical consumptive use if the historical consumptive use has already been quantified in a previous change decree.

The bill applies to applications pending or filed on or after the effective date of the bill.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/9510A48E03243D3187257D9000775B2A?Open&file=183_enr.pdf

SENATE BILL 15-185

CONCERNING PROVISIONS TO IMPROVE POLICE OPERATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY SENATOR(S) Johnston; also REPRESENTATIVE(S) Fields.

The bill requires each law enforcement agency to report the data it reports for the uniform compilation of statewide reported crime, arrest, and recovered property statistics including offense and arrest information disaggregated by summons, custody, and on view to the division of criminal justice (division). The bill requires the judicial department to report data on charges, dispositions, sentences, and probation revocations, including race ethnicity, and gender, and incident report number, to the division. The bill

requires the department of corrections state board of parole to report data on parole hearings, grants of parole, and parole denials, including race, ethnicity, and gender, to the division. The division then compiles and reports the data on an annual basis.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/CBF1FB31D2D97CA487257DCE005D1D61?Open&file=185_rer.pdf

SENATE BILL 15-198

CONCERNING MODIFICATIONS TO THE COLORADO WATER CONSERVATION BOARD'S FOLLOWING PILOT PROGRAM, AND, IN CONNECTION THEREWITH, EXPANDING THE PROGRAM TO ALLOW AN AGRICULTURAL WATER RIGHT OWNER TO LEASE AN AGRICULTURAL WATER RIGHT FOR TEMPORARY AGRICULTURAL, ENVIRONMENTAL, INDUSTRIAL, OR RECREATIONAL USE.

BY SENATOR(S) Crowder ; also REPRESENTATIVE(S) Vigil.

The current following pilot program administered by the Colorado water conservation board (board) allows an agricultural water right owner to lease the agricultural water right to a municipality for up to 3 out of 10 years. During the period of nonagricultural use, the owner follows the affected agricultural land. The bill expands the program to allow leases for temporary agricultural, environmental, industrial, or recreational use. The bill also reduces the time period for receiving comments on a pilot project application from 75 days to 60 days and requires the state engineer, within 15 days after a conference report has been filed or, if the board does not receive any comments on the pilot project application, within 30 days after the period of time for comments has expired, to review the application and make a determination on the issues of injury and compact compliance with respect to the application.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/C452AFC823DC7B9187257DE0005E27A2?Open&file=198_enr.pdf

SENATE BILL 15-205

CONCERNING THE UTILIZATION OF VETERANS' FIRE CORPS PROGRAMS BY THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY.

BY SENATOR(S) Roberts and Garcia; also REPRESENTATIVE(S) Keyser and Hamner.

The bill states legislative findings concerning the increasing severity of wildfires in Colorado, the scarcity of firefighting crews during the periods when fires often occur, the availability of post-9/11 era veterans to

help if needed, and the importance of providing employment and training to these veterans in natural resource management and wildland fire control.

The bill defines key terms and authorizes the division of fire prevention and control to use moneys in the wildfire preparedness fund to create or sustain firefighting units consisting primarily of post-9/11 era veterans.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/B6E968923402096E87257DF1006471C4?Open&file=205_enr.pdf

SENATE BILL 15-208

CONCERNING CAPITAL-RELATED EXPENDITURES, AND, IN CONNECTION THEREWITH, GRANTING THE CONTROLLER AUTHORITY TO ALLOW EXPENDITURES FOR CAPITAL CONSTRUCTION BUDGET4 APPROPRIATIONS IF NONMONETARY ADJUSTMENTS ARE NEEDED WHEN THE LEGISLATURE IS NOT IN SESSION, ADDING A CAPITAL DEVELOPMENT COMMITTEE-APPROVED WAIVER FOR THE ARTS IN PUBLIC PLACES REQUIREMENT, AND CLARIFYING THE TYPES OF CAPITAL CONSTRUCTION PROJECTS TO WHICH THE ARTS IN PUBLIC PLACES REQUIREMENT APPLIES.

BY SENATOR(S) Kefalas; also REPRESENTATIVE(S) Brown.

Capital Development Committee. Section 1 grants the state controller authority, with certain specific requirements, to allow any department, institution, or agency of the state, including any institution of higher education, to expend moneys differently from the authority granted by an item of appropriation for a capital construction budget item if the capital construction, controlled maintenance, or capital renewal project that the appropriation was for requires a nonmonetary adjustment for its timely continuation and the nonmonetary adjustment is due to unforeseen circumstances arising while the general assembly is not meeting in regular or special session during which such nonmonetary adjustment would be legislatively addressed. Section 1 defines nonmonetary adjustment as a change that does not affect the amount of the appropriation, including a name change, an extension of time for completion, a scope change, a transfer between departments, or other such similar changes.

Section 2 includes an amendment to the arts in public places statute which currently requires each appropriation for a capital construction project to include an allocation of not less than 1% of the state-funded portion of the total construction costs to be used for the acquisition of works of art (1% requirement). This section specifies that the 1% requirement does not apply to a capital construction project that the capital development committee agrees, in consultation with the council, does not meet the original purpose of the 1% requirement and that the capital development committee determines by affirmative vote meets one of the exceptions allowed in current law. This section also adds a legislative declaration that specifies that exceptions to the 1% requirement must be determined by the general assembly, through the capital development committee, not by individual state agencies, institutions of higher education, or the council. This section clarifies that a capital construction project for purposes of the 1% requirement does not include the installation of fixed or moveable equipment or the contracting of services of consultants to prepare construction plans.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/0824788E80A63CD487257DBD005D90DA?Open&file=208_rer.pdf

SENATE BILL 15-212

CONCERNING A DETERMINATION THAT WATER DETENTION FACILITIES DESIGNED TO MITIGATE THE ADVERSE EFFECTS OF STORM WATER RUNOFF DO NOT MATERIALLY INJURE WATER RIGHTS.

BY SENATOR(S) Sonnenberg; also REPRESENTATIVE(S) Winter.

Under current administrative practice, facilities that are designed to detain storm water for environmental and public safety purposes may be required to release water to avoid injury to water rights.

The bill specifies that post-wildland fire facilities and existing storm water detention and infiltration facilities do not materially injure water rights. Water rights owners can file an action to rebut the presumption of noninjury caused by a storm water detention and infiltration facility. An owner of such a facility must provide notice of the location and size of the facility to subscribers to the applicable substitute water supply notification list. Water from these facilities cannot be put to beneficial use or form the basis for any claim to or for the use of water.

A "storm water detention and infiltration facility" is defined as a facility that is operated solely for storm water management, owned or operated by a governmental entity or is subject to oversight by a governmental entity, continuously releases or infiltrates at least 97% of all of the water from rainfall events that are equal to or less than a 5-year storm within 72 hours after the end of the rainfall event, and continuously releases or infiltrates the water from rainfall events greater than a 5-year storm as quickly as practicable, all cases within 120 hours. The facility must operate passively and cannot actively treat the storm water.

A "post-wildland fire facility" means a facility that is not permanent; is located on, in, or adjacent to a nonperennial stream; is designed and operated solely for the mitigation of the impacts of wildland fire events; and is designed and operated to minimize the quantity of water detained and the duration of the detention of water to the levels necessitated by public safety and welfare. The person who installed or operated a post-wildland fire facility has to ensure that the facility is removed or rendered inoperable after the emergency conditions created by the wildfire no longer exist.

The bill does not apply to Fountain creek and its tributaries, except for facilities required by or operated in compliance with a Colorado discharge permit system municipal separate storm sewer system permit.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/13B28CF09699E67087257DE8006690D8?Open&file=212_rer.pdf

SENATE BILL 15-217

CONCERNING DATA COLLECTION RELATED TO PEACE OFFICER-INVOLVED SHOOTINGS OF A PERSON, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY SENATOR(S) Roberts and Cooke; also REPRESENTATIVE(S) Williams.

After an officer-involved shooting occurs, the peace officer's law enforcement agency shall provide the division of criminal justice (division) with demographic information on the officer and individual shot and search, citation, and arrest information related to the incident.

Each law enforcement agency shall provide the information for all shootings that occurred between January 1, 2010, and June 30, 2015, by September 1, 2015, and the information for each successive fiscal years until 2019-20 by September 1 of the following fiscal year. The division shall compile and report the data to the house and senate judiciary committees.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/A091A223DC0F9D3687257DFE00571F01?Open&file=217_rer.pdf

SENATE BILL 15-218

CONCERNING REQUIRING A LAW ENFORCEMENT AGENCY TO DISCLOSE WHETHER A PEACE OFFICER HAS MADE A KNOWING MISREPRESENTATION IN CERTAIN SETTINGS.

BY SENATOR(S) Roberts and Cooke; also REPRESENTATIVE(S) Williams.

A state or local law enforcement agency that employs, employed, or deputized on or after January 1, 2010, a peace officer who applies for employment by another Colorado law enforcement agency shall disclose to the hiring agency information, if available, indicating whether the peace officer's employment history included any instances in which the peace officer had a sustained violation for making a knowing misrepresentation:

! In any testimony or affidavit relating to the arrest or prosecution of a person or to a civil case pertaining to the peace officer or to the peace officer's employment history; or

! During the course of any internal investigation by a law enforcement agency, which investigation is related to the peace officer's alleged criminal conduct, official misconduct, or use of excessive force, regardless of whether the alleged criminal conduct, official misconduct, or use of excessive force occurred while the peace officer was on duty, off duty, or acting pursuant to a service contract to which the peace officer's employing agency is a party.

The disclosure is required only upon the presentation of a written waiver to the state or local law enforcement agency, which waiver explicitly authorizes the agency to disclose the information, has been signed by the applicant peace officer, and identifies the Colorado law enforcement agency that is considering the applicant peace officer for employment. A state or local law enforcement agency that receives such a waiver shall provide the disclosure to the Colorado law enforcement agency that is considering the applicant peace officer for employment not more than 7 days after such receipt.

A state or local law enforcement agency is not required to provide the disclosure if the agency is prohibited from doing so pursuant to a binding nondisclosure agreement to which the agency is a party, which agreement was executed before the effective date of the bill.

A state or local law enforcement agency shall notify the local district attorney within 7 days whenever the agency learns that any peace officer of the agency has made a knowing misrepresentation in such a described setting.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/D6AE299262416D3A87257DFE006616C7?Open&file=218_rer.pdf

SENATE BILL 15-219

CONCERNING MEASURES TO PROVIDE ADDITIONAL TRANSPARENCY TO PEACE OFFICER-INVOLVED SHOOTINGS.

BY SENATOR(S) Cooke and Roberts; also REPRESENTATIVE(S) Salazar.

The bill requires each police department, sheriff's office, and district attorney in the state to develop protocols for participating in a multi-agency team or involving another law enforcement agency in the investigation of a peace officer-involved shooting. The law enforcement agency shall post the protocols on its web site or make it publicly available if it does not have a web site.

The bill requires a district attorney who declines to file criminal charges against a peace officer for a peace officer-involved shooting to make a report and publicly disclose the report explaining the basis for not charging the officer. The district attorney shall post the report on its web site or make it publicly available if it does not have a web site. If the district attorney refers the matter under investigation to the grand jury, the district attorney shall release a statement at the time the matter is referred to the grand jury disclosing the general purpose of the grand jury's investigation. If there are no charges from the grand jury, the grand jury may issue a report of its findings.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/B57BC7A1F2CF4BE287257E0000663D90?Open&file=219_rer.pdf

SENATE BILL 15-234

THE LONG APPROPRIATIONS BILL

BY SENATOR(S) Lambert, Grantham, and Steadman; also REPRESENTATIVE(S) Hamner, Young, and Rankin.

Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2015, except as otherwise noted.

Bill Link:

<http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/lbcontainer/SB15-234?OpenDocument>

SENATE BILL 15-255

CONCERNING THE DEPOSIT OF TWENTY MILLION DOLLARS OF STATE SEVERANCE TAX REVENUES IN THE GENERAL FUND.

BY SENATOR(S) Lambert, also REPRESENTATIVE(S) Hamner.

After a transfer at the beginning of the fiscal year, state severance tax receipts are split equally between the state severance tax trust fund and the local government severance tax fund. The bill requires \$20 million of the state severance tax receipts received from the effective date of the bill until the end of the current fiscal year to be deposited in the general fund.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/53537BA26A7FB0AD87257E11007F7859?Open&file=255_enr.pdf

SENATE BILL 15-264

CONCERNING THE NONSUBSTANTIVE REVISION OF STATUTES IN THE COLORADO REVISED STATUTES, AS AMENDED, AND, IN CONNECTION THEREWITH, AMENDING OR REPEALING OBSOLETE, IMPERFECT, AND INOPERATIVE LAW TO PRESERVE THE LEGISLATIVE INTENT, EFFECT, AND MEANING OF THE LAW.

BY SENATOR(S) Johnston; also REPRESENTATIVE(S) Kagan.

Committee on Legal Services - Revisor's Bill. To improve the clarity and certainty of the statutes, the bill amends, repeals, and reconstructs various statutory provisions of law that are obsolete, imperfect, or inoperative. The specific reasons for each amendment or repeal are set forth in the appendix to the bill. The amendments made by the bill are not intended to change the meaning or intent of the statutes, as amended.

Bill Link:

<http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/991554CAC845331087257DBD005D9A>

SENATE BILL 15-270

CONCERNING THE CREATION OF THE OFFICE OF THE STATE ARCHITECT, AND, IN CONNECTION THEREWITH, ADDING STATEWIDE PLANNING RESPONSIBILITIES AND MAKING AND REDUCING AN APPROPRIATION.

BY SENATOR(S) Lambert; also REPRESENTATIVE(S) Rankin.

Joint Budget Committee. The bill statutorily creates the office of the state architect (office) within the department of personnel (department). The bill makes conforming amendments to replace the office as the responsible party for duties attributed in current law to the department. The office is already managing these responsibilities in practice. The bill adds a new responsibility to the office for statewide planning. With respect to the planning responsibilities, the office must:

! Work with the office of state planning and budgeting, and the Colorado commission on higher education, the department of higher education, and a representative from a state institution of higher education to develop and establish criteria for recommending capital construction projects;

! Review and make recommendations to the office of state planning and budgeting regarding all capital construction budget requests and supplemental budget requests submitted by a state agency;

! Review and make recommendations to the office of state planning and budgeting regarding all capital construction budget requests and supplemental budget requests of a state institution of higher education received after the Colorado commission of higher education's review and approval as specified in current law;

! Review each state agency's operational master plan and approve each state agency's facilities master plans, facilities program plans, and 5-year plans;

! Provide the capital development committee with a report regarding the approved facilities master plans, facilities program plans, and 5-year plans of each state agency and state institution of higher education;

! Develop, after consultation with the office of state planning and budgeting, standards for the preparation of current facilities master plans coordinated with operational master plans, and facility program plans coordinated with operational program plans for each state agency, except state institutions of higher education;

! Coordinate the preparation and maintenance of long-range master plans that recommend executive and legislative actions for achieving desired state objectives and that include recommended methods for evaluation.

The bill makes clear that the acquisition of a capital asset or a capital construction project for any state agency or state institution of higher education may not be authorized unless the facilities program plan has been approved by the state architect. The bill also clarifies that it is the policy of the General Assembly to only appropriate funds for capital construction projects if such projects have been approved by the office.

The bill also specifies that the office of state planning and budgeting's plan for capital construction expenditures must consider recommendations made by the office.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/129E53D3D97AFE2587257DCD0059BE4E?Open&file=270_rer.pdf

SENATE BILL 15-282

CONCERNING THE ESTABLISHMENT OF A RURAL JUMP-START PROGRAM IN HIGHLY STRESSED COUNTIES OF THE STATE FOR NEW BUSINESSES THAT BRING NEW JOBS TO THE STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY SENATOR(S) Scott and Johnston; also REPRESENTATIVE(S) Duran and Willett.

The bill creates the "Tax-friendly Zone Act" and requires the Colorado economic development commission (commission) to manage and oversee the program.

The bill allows tax-friendly zones to be created in up to 30 of the state's highly distressed counties. Those highly distressed counties are determined by ranking the state's distressed counties from lowest to highest by the total sum of annual percentage change in each distressed county for population, employment, weekly wage, and the number of establishments. To be distressed, a county must meet 2 of 3 economic indicators related to change in employment, change in assessed value of all property, and the number of pupils eligible for free lunch.

The bill defines a tax-friendly zone as an area within the boundaries of a highly distressed county that is either:

! In one or more incorporated portions of the highly distressed county if the municipality provides the commission with a general resolution agreeing to provide incentive payments, exemptions, or credits to offset the imposition of certain municipal taxes for all new businesses in order to be a participant in the tax-friendly zone program;

! In one or more incorporated portions of the distressed county if the municipality provides the commission with a limited resolution that indicates the municipality agrees to only provide incentive payments, exemptions, or credits to offset the imposition of certain municipal taxes for a specific new business in order to be a limited participant in the tax-friendly zone program; or

! In the unincorporated portions of the highly distressed county.

If a new business establishes a relationship with a state institution of higher education in the tax-friendly zone and then locates in the zone, the new business is entitled to tax-friendly zone program benefits as follows:

! An income tax credit for the new business in an amount equal to 100% of the income taxes imposed on the income derived from the new business' activities in the tax-friendly zone for a specified period, and the specified period may be extended, subject to limitations, by the commission at the request of the new business;

! An income tax credit for the new business' employees in an amount equal to 100% of the income taxes imposed on the employees' wages paid by the new business for a specified period, and the specified period may be extended, subject to limitations, by the commission at the request of the new business;

! A sales and use tax refund on the purchase of all tangible personal property acquired by the new business and used exclusively within the tax-friendly zone for a specified period, and the specified period

may be extended, subject to limitations, by the commission at the request of the new business; and ! The elimination of the business personal property tax and incentive payments, exemptions, or refunds as determined by the county or municipality to eliminate any other tax liability imposed on the new business by the county and municipality.

The bill establishes requirements on the new business, the new employees, and the new hires, and sets forth application parameters for the state institution of higher education and the new business. State institutions of higher education include public postsecondary institutions governed by the state board for community colleges and occupational education. The bill also requires the commission to issue guidelines on a number of the details related to the administration of the program. The bill specifies that the guidelines issued by the commission must be reviewed by the office of legislative legal services as if such guidelines were rules subject to review pursuant to the "State Administrative Procedure Act".

The commission is required to annually review the economic stabilities of those counties determined to be not highly distressed to see if the county should be designated as highly distressed. Each highly distressed county retains its designation as a highly distressed county for 3 years, after which the commission will review the designation. If the commission determines that the county is no longer highly distressed, the new business and new employees in such county retain the tax-friendly program benefits for the period set forth in statute.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/F228893D7257172F87257DFD006C20A9?Open&file=282_enr.pdf

SENATE BILL 15-290

CONCERNING CREATION OF THE COLORADO STUDENT LEADERS INSTITUTE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY SENATOR(S) Todd; also REPRESENTATIVE(S) Wilson.

The bill creates the Colorado student leaders institute (institute) in the office of the lieutenant governor to operate as a pilot program through the summer of 2019. The institute is an annual, 4-week, summer residential educational program for students who are entering tenth or eleventh grade. The institute is hosted by an institution of higher education in Colorado (host institution). The institute combines courses, lectures, and seminars, with enrichment classes in music, art, and theater.

Students who participate in the institute must also complete a history research project as part of a competition held during the institute and complete a public service practicum. Each student who successfully completes the institute will receive 3 hours of postsecondary academic credit from the host institution. To apply to the institute, a student who attends a public school that is not a charter school must be nominated by the superintendent of the school district in which the student enrolls. A student who attends a charter school or a private school must be nominated by the school principal. A student who participates in a nonpublic home-based educational program may apply without being nominated.

The institute is overseen by an executive board that consists of educators and persons from the community who are appointed by the governor; and the chief executive officer of the host institution, the commissioner of education, and the executive director of the department of higher education, or their

designees. The executive board reviews applications and selects students to participate in the institute, selects the faculty and courses for the institute, and contracts with the host institution to manage the institute. The executive board may also appoint an advisory board to assist in raising funds and marketing for the institute.

Under its contract, the host institution must create the application and establish timelines for submitting applications and selecting participants, review the applications and make recommendations to the executive board, and solicit faculty members for the institute, as well as provide meeting and living space and food service for institute participants.

Beginning in the 2017 legislative session, the executive board must report to the joint education committees regarding the success of the institute, which at a minimum is measured by the success of institute alumni in postsecondary educational programs.

A student who participates in the institute is encouraged to donate up to \$400 to the institute. The institute is funded by appropriations, which may include appropriations from the state education fund. In addition, the executive board may accept gifts, grants, and donations for the operations of the institute. Each year, operation of the institute is conditional on receiving at least \$40,000 in gifts, grants, and donations.

The institute is repealed, effective July 1, 2019.

Bill Link:

http://www.leg.state.co.us/CLICS/CLICS2015A/csl.nsf/fsbillcont3/7315F2CB4011880387257E3600821038?Open&file=290_enr.pdf
