



February 23, 2015

LL#4:37

VICTIMS STILL TREATED AS CRIMINALS

Last year Colorado made significant improvements in our legislation strengthening criminal penalties for human trafficking. This year we are pleased to see the focus has shifted to the protection and restoration of the victims of human trafficking. LAC reported on Human Trafficking in Leg. Letter #3, February 24, 2014. Last year, a human trafficking council was created. Partly as a result of the focus on this insidious crime, news reports exposed the trafficking of at least 6 minor children as prostitutes during the Stock Show in Denver in January, 2015. There has been progress, and there is more work to be done. As we noted last year:

Victims of human trafficking include adults and children alike. In fact, Domestic Minor Sex Trafficking (DMST), the trafficking of children for use in commercial sex acts is a rapidly growing crime. Between 100,000 to 300,000 U.S. children, average age 13, are at risk of sexual exploitation. Colorado has law enforcement units like the Rocky Mountain Innocence Lost Task Force as well as prosecutors, human services, service providers, non-profits and community organizations dedicated to eradicating this horrendous crime and working to restore victims and bring justice to offenders.

A prime example of this focus is **HB 1019, Victims of Human Trafficking and Prostitution (Rep Lundeen; None) (support)**. As introduced, the bill would have made great strides in the much needed area of safe harbor for these victims by:

- establishing immunity for a minor charged with prostitution, eliminating the negative outcomes for exploited minors that comes from labeling them as criminals;
- providing protections to the victim requiring law enforcement to take minors into protective custody and transport them to the appropriate county department of human or social services to treat the trauma these children have endured;
- making victims eligible for compensation through the “Colorado Crime Victim Compensation Act,” and assisting with funding the juvenile sex trafficking victims’ restoration and ensuring access to this important financial support.

To our disappointment, the House Judiciary Committee, responding to requests from the district attorneys and the Criminal Defense Bar amended the bill to direct the Human Trafficking Council to meet on or before January 1, 2016 and make recommendations as to whether the General Assembly should enact the previously mentioned legislation. Ironically, the FBI has reported no problems in states that have adopted the provisions of the original bill of HB 1019. Nonetheless, the amendment was adopted unanimously. Despite the fact that under federal law a child cannot consent to prostitution and is, therefore, a victim of sex trafficking, testimony still focused on prosecution vs. immunity and the gaps in housing, treatment and placement. Now is the time to provide protective and restorative legislation for these victims. As amended, the bill passed unanimously to Appropriations.

Given that we currently prosecute minor and adult victims of sex trafficking as prostitutes, **SB 030 Prostitution Defense for Human Trafficking Victim (Sen. Carroll; Rep. Foote) (support)** creates an affirmative defense to the crime of prostitution on or after July 1, 2015, if the person committed the act as a direct result of being a victim of human trafficking. It also establishes that on or after January 1, 2016, a person charged with or convicted of prostitution before July 1, 2015, can petition the court to seal his or her record of any conviction for that offense. We would have preferred the original language of the bill, which vacated the conviction, but sealing the record is, at least, a step in the right direction. A juvenile charged with or adjudicated of prostitution can apply to the court for expungement of his or her record. While we would prefer to see these victims identified and treated as victims, we support this bill as the only offered path out of inequitable charges and convictions until we are better informed as a society and enact legislation that recognizes and treats these victims appropriately. This amended bill has passed the Senate unanimously and is currently assigned to the House Judiciary.

Although we appreciate the progress that has been made, we wish our legislature would move faster. The changes to HB 1019 contradict the League's position on making services available to victims of trafficking. It is important to understand the urgency of this issue from the victims' perspective. While it may sound extreme to use words like torture, slavery, and rape, this the cruel reality of exploitation that victims face every day, and it is incumbent upon us to move as quickly as possible to ensure these victims are recognized and treated appropriately. We must become aware and educated on this issue in order to rise to the highest levels of our humanity. We are reminded of this quote by Martin Luther King Jr: "Never, never be afraid to do what's right, especially if the well-being of a person or animal is at stake. Society's punishments are small compared to the wounds we inflict on our soul when we look the other way."

Kimberly Love 303.956.8840

GOVERNMENT

GUN SAFETY

LARGE MAGAZINE BAN UPHOLD

HB 1009 Repeal Large Ammo Magazine Ban (Rep Humphrey; Sen. Holbert) (oppose) repeals a law passed in 2013 requiring a 15-bullet magazine capacity limit and required identification markings on large capacity magazines that are manufactured in Colorado. HB 1009 was PI'd in House State Veterans, and Military Affairs Committee by a vote of 6 to 5. Voting to PI:

Ryden, Salazar, Foote, Lontine, Primavera, Tyler.
Voting not to PI: Humphrey, P. Neville, Tate, Thurlow, Willett

Jean Grattet 303.863.0437

DO WE NEED MORE GUNS IN SCHOOLS?

NEW **HB 1168 Concealed Handgun Carry In Public Schools (Rep. P. Neville; Sen. T. Neville) (oppose)** If passed, HB 1168 would end "gun free zones" in Colorado public schools. Not only teachers but anyone with a CCW permit could carry a hidden weapon onto school grounds or buildings. College campuses are not

mentioned. In the last couple of years bills have been proposed and defeated that would allow teachers or school staff, who have CCW permits, to have guns in schools to aid the resource officers. This bill goes further by allowing anyone with a CCW permit to bring a gun into schools. Assigned to State, Veterans and Military Affairs.

Jean Grattet 303.863.0437

CONCEALED CARRY FOR ALL?

SB 32 Lift Restrictions on Carrying of Firearms (Sen. Marble; Rep. Ransom) (oppose) would allow anyone who legally had a gun to carry it concealed without any permit, background check or training. It was heard in the Senate and passed on Third Reading on February 19, by a vote of 18-17. It now goes to the House.

Previously reported: LL#1, p. 8; LL#3, p. 27.

Jean Fredlund 303.428.5420

Senate Vote

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kerr	N	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Ulibarri	N
Donovan	N	Johnston	N	Neville T.	Y	Woods	Y
Garcia	N	Jones	N	Newell	N	President	Y
Grantham	Y	Kefalas	N	Roberts	Y		

JUSTICE SYSTEM

ALL ADDRESSES OFF LIMITS

NEW **HB 1174 Information Protections Domestic Violence Victims (Sen. Carver; Rep. Woods) (support)** This bill expands the protections for an address confidentiality participant (ACP) to include work and school information as well as just the residential address. It is probably an oversight that these were not initially included as protected in the original ACP legislation, which forbids the release of information relating to the location of residences of police officers and victims who request protections. This will ensure further protections for victims of domestic violence, sexual assault, and stalking allows them to be secure in their work place and school environment.

The bill passed the House Judiciary unanimously and passed Third Reading unanimously on February 20. It now goes to the Senate.

Angie Layton 303.926.1197

NEW YOUTHFUL OFFENDER SYSTEM BILL INTRODUCED

NEW **SB 182 DOC Transfer Offenders to Youthful Offender System (Sens. Garcia and Crowder; Rep. Navarro and Esgar) (watch)** replaces SB 37 that was PI'd on Jan. 28.

This new bill simply allows the executive director of the Department of Corrections or his/her designee to transfer any youthful offender age 24 years old or younger who has been sentenced to the DOC into and out of the youthful offender system. The bill no longer increases the length of time between required evaluations of the Youthful Offender System. The evaluations will continue to be required every two years.

League is pleased that the time between evaluations will remain at every two years. We do see advantages to the young offenders who may now be able to participate in the more rehabilitative Youthful Offender System. The League has always supported a justice system that is rehabilitative in nature. However, we do wonder how well it will work to have these older offenders put in with the younger offenders. Also the youth who are directly sentenced to YOS are subject to a different sentence structure than the older young people who are sentenced to serve their time in an adult facility. How that will play out remains to be seen.

Carla Bennett 303.757.2930

JUVENILE JUSTICE

JUVENILE SHACKLING BILL ADVANCES

HB 1091 Policies on Juvenile Shackling in Court (Rep. Lontine; Sen. Merrifield) (support) passed out of House Judiciary on Feb. 17 by a vote of 8-5. It now awaits 2nd Reading. Voting Yes: Reps. Buckner, Court, Dore, Foote, Pettersen, Salazar, Lee, and Kagan. Voting No: Reps. Carver, Lawrence, Lundeen, Van Winkle, and Willet.

The hearing was lengthy and the number of supporters outnumbered the opponents. It was noted that juveniles can be shackled when the only offense is as non-violent as running away from a foster home. There was compelling testimony from several young people who had experienced being shackled in juvenile court. They were able to speak to how humiliating and traumatizing that experience had been. Also, a public defender allowed the legislators to experience the reality of the

weight of the shackles by providing a set of shackles in a bag for them to pass among themselves.

There was testimony in opposition to the bill from the county sheriffs, the Judicial Department and the Colorado Bar Association. The county sheriffs were concerned that unshackling youth in many of the older courthouses in the state could pose a security problem that they would not be equipped to handle. The judicial department and the Colorado Bar Association felt that this was a separation of powers issue and that the legislature could not give direction to the Chief Judges of the Judicial Districts, a power given to the Chief Justice of the Colorado Supreme Court by the Colorado Constitution. However, on that last point, Rep. Salazar stated that it is the role of the legislature to pass laws and the judicial branch to interpret them and that the legislature frequently passes bills that require judges to do certain things. Rep. Court pointed out that this issue has been before the legislature several times in the past, but the judicial branch has failed to deal with it.

Previously reported: LL#3, p. 15.

Carla Bennett 303.757.2930

NO JAIL FOR TRUANTS

NEW SB 184 No Detention for Failure to Attend School (Sen. Holbert; Rep. Fields) (support)

Although truancy and other school discipline issues are serious social concerns, addressing them by involving the family and juvenile in the formal juvenile court system seems to be too punitive. This bill provides for an administrative law judge to make determinations regarding the truancy problems, allows families to appear by telephone, and disallows sentencing parents to jail for truancy problems for their children. This seems to be a common sense approach to the needs of families and schools to address non criminal offenses. The bill has been assigned to the Senate Education Committee.

Angie Layton 720.926.1197

VOTING RIGHTS

PHOTO ID BILLS DEFEATED

HB 1140 Same Day Voter Registration with Photo (Rep. Coram; Sens. Sonnenberg and Baumgardner) (oppose) This bill requires that voters who are registering just before or actually on Election Day provide a government-issued photo ID. This impacts electors who have neither the money nor the means to

get to a place where they could obtain such a photo or may, in fact, not have the necessary documentation required. It was heard in House State Affairs on February 18th. The motion to send the bill to Appropriation was defeated, and then the bill was postponed indefinitely (PI'd) 6-5 with Foote, Lontine, Primavera, Tyler, Salazar and Ryden voting to PI and Humphrey, Neville, Tate, Thurlow and Willett voting to keep the bill alive.

As the bill was defeated, the sponsor made very clear that the subject would instead be brought directly to the voters. Getting a photo ID often requires a birth certificate. If you were born in Colorado, getting a birth certificate requires one or more items that may require a photo ID or birth certificate to get in the first place.

Previously reported: LL#3, p. 29.

HB 1169 Photo ID For Same Day Voter Registration (Rep. Ransom; None) (oppose) This second Photo ID bill, also heard on February 18th, would eliminate some of the forms of identification that have been in statute for years by requiring that a photo of the elector be included as part of the ID. An amendment was brought forth by the sponsor that if the elector is unable to pay for the cost of obtaining identification, it would be done at no cost. Further discussion revealed that there was at this point no means for covering such a cost. The amendment failed on a 3-8 vote. The motion to refer the bill to Appropriations was defeated by a 5 to 6 vote. Foote, Lontine, Primavera, Tyler, Salazar and Ryden then voted to PI the bill, while Humphrey, Neville, Tate, Thurlow and Willett voted against doing so.

Previously reported: LL#3, p. 29

Both reported by Carol Tone 303.377.3746

NATURAL RESOURCES

WATER

IMPROVING WATER USE

SB 8 Promote Water Conservation in Land Use Planning (Sen. Roberts; Rep. Vigil) (support) is a bill that would promote water conservation with land use planning to better integrate water demand management and conservation planning. It was heard in Senate Appropriations on February 13 on a vote of 4-3. Voting Yes: Heath, Hodge, Steadman, and Grantham. Voting

No: Sonnenberg, Woods, Lambert. On February 20, the Senate approved it on Second Reading.

Previously reported: LL#2, p. 16.

HB 1038, by Rep. Arndt and Sen. Hodge, Flexible Water Markets (support) has had a few amendments for defining “flex consumptive use” and ensuring there will be no injury to other water rights holders. It would also require that there be no more than 10 flex use change cases for each water district. This again allows for better following of the cases and how they are implemented. It passed Third Reading on February 10, 42-22-1, and now awaits hearing in the Senate Agriculture Committee

Previously reported: LL#2, p. 17; LL#3, p. 30.

Both reported by Jeannette Hillery 303.494.7718

House Vote on HB 1038

	YES	42	NO	22	EXCUSED	1	ABSENT	0
Arndt	Y		Fields	Y	Lundeen	N	Ryden	Y
Becker J.	E		Foote	Y	McCann	Y	Saine	Y
Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
Brown	N		Ginal	Y	Mitsch Bush	Y	Sias	N
Buck	Y		Hammer	Y	Moreno	Y	Singer	Y
Buckner	Y		Humphrey	Y	Navarro	N	Tate	N
Carver	N		Joshi	N	Neville P.	Y	Thurlow	N
Conti	Y		Kagan	Y	Nordberg	N	Tyler	Y
Coram	N		Keyser	N	Pabon	Y	Van Winkle	Y
Court	Y		Klingenschmi	N	Pettersen	Y	Vigil	Y
Danielson	Y		Kraft-Tharp	Y	Primavera	Y	Willett	N
DelGrosso	N		Landgraf	N	Priola	N	Williams	Y
Dore	N		Lawrence	N	Rankin	N	Wilson	Y
Duran	Y		Lebsock	Y	Ransom	Y	Windholz	N
Esgar	Y		Lee	Y	Rosenthal	Y	Winter	Y
Everett	N		Lontine	Y	Roupe	N	Young	Y
							Speaker	Y

to hire an academic advisor for the youth. The effort is to be financed by gifts, grants and donations. The bill contains an ambitious list of goals for the collaborative to develop by the beginning of 2016. We hope the involved agencies will be able to work together to develop even some of these.

On February 11, the bill passed out of the Senate State Affairs Committee unanimously and was advanced to the Finance Committee.

Roberta Long-Twyman 303.377.9193

BACKGROUND CHECK BILL PASSES SENATE JUDICIARY

SB 87 Foster Care & Kin Placement Background Checks (Sen. Newell; Rep. Singer) (support) passed out of Senate Judiciary by a unanimous vote on Feb. 18. It now awaits 2nd Reading in the Senate.

Senator Newell worked very hard with the stakeholders to make sure the bill was acceptable to all. In addition to a strike-below amendment, there were other amendments to the strike below; however, none of the amendments weakened the bill. No one spoke in opposition to the bill at the hearing, and the fact that the bill passed unanimously is a credit to Sen. Newell’s hard work to bring all the stakeholders together and to address their concerns.

Previously reported: LL#3, p. 31.

Carla Bennett 303.757.2930

SOCIAL POLICY

CHILDREN’S ISSUES

ENCOURAGING EDUCATION FOR FOSTER YOUTH

NEW Senator Newell and Representative Pettersen have joined together to introduce **SB 131, Fostering Success Collaborative for Foster Youth (support)**. This bill proposes a support system for youth, ages 13 and older, who have been in the foster care system or who have been the victims of human trafficking.

The bill creates a collaborative of many agencies including the Department of Human Services, Department of Education, Office of the Governor, etc. The bill also allows each institution of higher education

EDUCATION

TAX CREDITS FOR PRIVATE SCHOOLS ADVANCE

SB 45 Tax Credits for Nonpublic Education (Sen. Lundberg; none) (oppose) moves to Senate Appropriations after a visit to the Education and Finance Committees. In Senate Finance, the lack of testimony for or against made for a brief discussion. The bill was forwarded to Appropriations on a 3-2 vote (For: T. Neville, Hill, Holbert; Against: Johnston and Kerr).

Previously reported: LL#1, p. 8; LL#3, p. 32.

Sally Augden 303.455.5800

EQUAL OPPORTUNITY

DISCRIMINATION = FREEDOM?

NEW **HB 1161 Public Accommodation First Amendment Rights (Rep. Klingenschmitt; None) (oppose)** This bill proposes to extend the authority of the legislature over the actions of the courts in the matter of individuals who provide public accommodation – restaurants, hotels, retail stores, bakeries, and the like. The bill specifies that if the owner of such public accommodation chooses to refuse service to someone because the owner does not agree with the “ideology, ceremony, creed, behavior or practice” of the prospective customer or client, such refusal would be considered an exercise of First Amendment rights. The bill further specifies that the courts cannot find that this refusal is a violation of the civil rights of the prospective customer or client and cannot compel the public accommodations owner to engage in the commerce in question.

The legislative declaration cites cases involving saluting the flag and covering up New Hampshire’s state motto on a license plate. However, these cases did not involve “public accommodation” and more recent history of the applicability of these cases is murky. This bill purports to tell the courts which case law to apply where. By specifying “ideology, ceremony, creed, behavior or practice,” it allows refusal of service on First Amendment grounds to absolutely everything. It is clear that the bill is inconsistent with League’s principles of equal rights and equal opportunity, social and economic justice.

The bill has been assigned to State Affairs and will be heard on February 23. There are cosponsors in the Senate, but no prime sponsor as yet.

NEW **HB 1171 State Freedom of Conscience Protection Act (Reps. Neville and Humphrey; Sen. Neville) (oppose).** This bill makes an interesting claim that “laws neutral toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise.” On that ground, the bill proposes that no state or local government may cause a person to take an action that “burden’s” a person’s exercise of religion, except in cases of “compelling government interest.” The ways in which government may burden religion would be to enforce laws, rules or regulations that the individual deems contrary to his religious beliefs, and then to penalize him in accordance with the law for lack of compliance. A person’s religion can be burdened if the legal requirement violates his “sincerely

held religious beliefs,” whether or not those conform to the tenets of any larger religious system or set of belief.

The opportunities for chaos here are endless. They could include anything from an employer who offers health insurance denying coverage for any therapy that his own religion does not accept to any number of neighborhood disputes. The bill’s language does allow broad application. It is clear that the bill is inconsistent with League’s principles of equal rights and equal opportunity, social and economic justice.

The bill has been assigned to State Affairs and will be heard on February 23.

SB 69 Repeal Job Protection Civil Rights Enforcement Act (Sen. Woods; Rep. Priola) (oppose) In 2013, the general assembly enacted HB13-1136, the “Job Protection and Civil Rights Enforcement Act of 2013”, which established compensatory and punitive damage remedies, as well as front pay, for a person who proves that an employer engaged in a discriminatory or unfair employment practice under state law. SB 69 proposes to repeal that Act. Senate Business, Labor and Technology heard the bill on February 9, and passed it on to Appropriations by a vote of 6-3. Voting Yes: Baumgartner, Jahn, T. Neville, Woods, Holbert, Balmer. Voting No: Aguilar, Heath, Newell.

Previously reported: LL#2, p. 18.

NEW **HB 1172 Repeal Punitive Damages Employment Discrimination (Rep. DelGrosso; none) (oppose).** Like SB 69, this bill addresses the provisions of HB 13-1136 that allow plaintiffs in discrimination matters access to the same process and damages in Colorado courts as in Federal courts and expanded the anti-discrimination penalties to companies of 15 and fewer employees. HB 1172 proposed to repeal only the provision for punitive damages. Small businesses fear that the prospect of high damage awards will generate frivolous law suits, the defense of which could bankrupt the business. The fear is real, although the record for matters filed in federal courts and filed through the Colorado Civil Rights Division shows little, if any, such threat. The proposal is modest compared to SB 69. However, since the provisions of HB 13-1136 took effect for offenses committed after January 1, 2015, there is no evidence of any misapplication of punitive damages yet.

The House Judiciary Committee heard the bill on February 19, and postponed it indefinitely by a vote of 7-6. Voting against the bill: Buckner, Court, Foote,

Pettersen, Salazar, Lee, Kagan. Voting for the bill:
Carver, Dore, Lawrence, Lundeen, Van Winkle, Willett.

All reported by Christine Watson 303.250.1796

HEALTH CARE

TWEAKING HEALTHCARE

NEW **HB 1194 Authorize General Fund Dollars For LARC Services (Reps. K. Becker & Coram; None) (support)** The Colorado Department of Public Health and Environment currently administers the family planning program. In 2008, the Department received a multi-year grant to run the expanded family planning program. The primary focus was to expand access to long-acting reversible contraception (LARC) including intrauterine devices (IUDs), implants and related services to low-income women statewide. The goal is to reduce unintended pregnancies. This bill would provide training for providers, technical services for such issues as billing, as well as expanding the capacity of family planning services.

This bill enables the department to continue the expanded program. Five million dollars from the state general fund would provide LARC services in the 2015-16 fiscal year. This expanded program has resulted in a significant decrease in the birth rates of young women with incomes at or below 150% of the federal poverty level.

In counties receiving grant funding, birthrates of women between the ages of fifteen to nineteen were 29% lower than expected. After three years of the program, family planning caseloads have increased by 23%. The success of this program supports its continued funding.

The bill has been assigned to the Public Health Care and Human Services Committee.

HB 1029 Health Care Delivery via Telemedicine Statewide (Reps. Buck & Ginal; Sen. Kefalas & Martinez Humenik) (support) The term “Telemedicine” in this bill has been changed to “TELEHEALTH.” The bill was amended to recognize the practice of TELHEALTH as a legitimate means by which an individual may receive a wide range of health care services from a provider without in-person contact with the provider.

The bill has passed the House on January 28 on a vote of 58-6-1, with Everett, Humphrey, Lundeen, P. Neville, Saine, Van Winkle voting No and Priola excused. On

February 19, the Senate Health and Human Services Committee approved it on a vote of 4-1, with Senator Lundberg voting No.

Previously reported: LL#1, p. 9; LL#2, p. 19.

SB 123 Patient Choose Pharmacy To Fill Prescriptions (Rep. Crowder; Sen. Primavera) (watch)

This bill would have allowed a patient to fill a prescription at any pharmacy that would accept the payment arrangements of the insurance company or pharmacy benefits manager. It passed the Senate HHS Committee 4-1 with Sen. Aguilar voting No, but lost on 2nd Reading in the full Senate.

Previously reported: LL#3, p. 33.

All reported by Marion Colliander 303.322.3926

NEW **HB 1233 Respite Care Study Task Force (Rep. Landgraf; Sen. Aguilar) (support)** This bill creates the Respite Care Task Force to study the dynamics of supply and demand in respite care services in Colorado. League supports this bill, consistent with League position on health care access and our view that respite care access will serve the patient and benefit the caregiver alike, improving chances that patients may remain in their home through reasonable and stable caregiver situations. In turn, remaining in homes is viewed as better overall for patients and health care costs. The task force is to provide a report to the general assembly by December 1, 2015. Among issues addressed in the report will be adequacy of respite care facilities, training for respite caregivers (including a potential community college pilot program), and funding and affordability of respite care services. The bill was assigned to Public Health Care & Human Services.

Carol Pace 303.863.0437

COLORADO HEALTH INSURANCE IMPROVEMENTS REMAIN

NEW **HB 1163 Contingent Repeal Hlth Ins Laws Aligning with ACA (Rep. Klingenschmitt; None) (oppose)** This bill was assigned to Health, Insurance, & Environment. Upon a repeal of all or part of the federal Affordable Care Act (ACA), the bill automatically repeals the corresponding provisions in Colorado state law to align state health insurance laws with the ACA. League opposes the bill consistent with League support of the ACA and the increased access to health insurance that it has brought to Colorado. Bill provisions would include: repeal of the prohibition against health

insurance exclusion due to pre-existing conditions; the requirement that health insurance cover the children of policy holders up to age 26; the requirement that continuing coverage be offered to employees who are no longer employed by an employer. The bill was heard on February 19 and postponed indefinitely on a vote of 7-6. (Voting to PI: Esgar, Lontine, Mitsch Bush, Primavera, Ryden, Ginal, McCann. Voting No: Brown, Humphrey, Joshi, Klingenschmitt, Landgraf, Ransom.)

Carol Pace 303.863.0437

INCOME ASSISTANCE

HELP SENIORS STAY IN HOMES

HB 1100 Sales Tax Revenue to Older Coloradans Cash Fund (Reps. Lebsock and Roupe; Sens. Crowder and Ulibarri) (support) Local nonprofits apply through the Area Agencies on Aging (AAA) for grants to provide support services to seniors that enable them to stay in their own homes. At the current rate of funding, there are already waiting lists for services. As amended in the Finance committee, the bill would increase annual funding to \$14 million for the next three years.

These funds benefit not only the recipients who are more able to stay in their own homes, but also taxpayers in general. The cost for Medicaid to place someone in a nursing home is approximately \$86,000 a year. The cost of these services averages \$6000 per year.

The Finance Committee sent the bill to Appropriations on a 10-0 vote, with one (Van Winkle) excused.

Previously reported: LL#2, p. 20.

Julie Leonard 720.384.8421

SHOULD WE PLAN FOR THE FUTURE?

HB 1033 Strategic Planning Group on Aging (Rep. Primavera; Sen. Crowder) (support) The language of the original bill was replaced by a strike-below amendment at the first committee hearing, because it was decided that the Dept. of Local Affairs would be the best fiscal agent for the strategic planning group. That meant it had to be placed in a different section of the Colorado Revised Statutes.

The amendment also makes some changes to the composition of the planning group, staggers the terms of the members, tightens up the guidelines for the group's

operations, and adds transportation as one of the impacts to be examined. The primary purpose is still to analyze data about the economic, workforce and social effects of Colorado's rapidly aging population, and make recommendations about how public and private entities can best meet the challenges and opportunities facing us.

The Public Health Care & Human Services committee sent the amended bill to Appropriations on a vote of 10-3, with Reps. Everett, Joshi and Sias voting No.

Previously reported: LL #1, p. 9

Julie Leonard 720.384.8421

CHILD SUPPORT FOR TANF RECIPIENTS

SB 12 Colorado Works Pass-through Child Support Payment (Sen. Kefalas; Rep. Pettersen) (support) Current system requires a TANF recipient family to assign their entire right to receive child support to the county to repay the TANF debt. This bill seeks to allow a pass through on child support collected from non-custodial parents to parents who are receiving TANF (Temporary Aid to Needy Families).

This bill is a valiant attempt at addressing childhood poverty for individuals receiving aid through the Colorado Works Program. Unfortunately, the amendments added in the Senate Health and Human Services Committee and the Senate Finance Committee postpone implementation until 2017 and only require the bill to be implemented if general funds are capable of replacing lost county revenue. Nevertheless, this is a step forward that should be made with the hope that additional efforts will be made in future legislative sessions.

With the amendments, the bill passed the Finance Committee unanimously, and it is now in Senate Appropriations.

Previously reported: LL#2, p. 20.

Angie Layton 303.926.1197

REPRODUCTIVE FREEDOM

"WOMEN'S HEALTH PROTECTION ACT" PI'd

HB 1128 Women's Health Protection Act (Rep. Neville; Sen. Neville) (oppose) would have required clinics that perform abortions to be monitored and

licensed annually by the state Dept. of Public Health and Environment, and would have required them to be located within 30 miles of a hospital to which the physician had admitting privileges. Proponents argued that in the case of emergency, proximity to hospital would help to save lives, and doctor having admitting privileges would make emergency treatment more efficient. The requirement would have burdened women in rural areas. Ironically, the chances of death from legal abortion are much lower than chances of death from vehicle accidents, which could occur while driving to the clinic that may be close to a hospital but farther away from the patient. The Insurance Institute for Higher Safety reports that in 2103, there were 10.3 deaths per

100,000 people in the US. The Guttmacher Institute reported in 2003 that deaths from abortion had fallen off the charts by about 1975, to fewer than 1 per 100,000 abortions. The bill was PI'd on a vote of 7-6 Feb. 12 in the House Health, Insurance and Environment Committee. Voting YES to PI: Esgar, Lontine, Mitsch Bush, Primavera, Ryden, Ginal, McCann. NO votes: Brown, Humphrey, Joshi, Klingenschmitt, Landgraf, Ransom.

Previously reported: LL #2, p. 21.

Leslie Chomic 303.863.0437

STATUS SHEET

The Status Sheet is a constantly updated list of bills being followed by Legislative Action Committee members. New bills are in **boldface**.

S=Support O=Oppose SIP=Support in Part OIP=Oppose in Part W=Watch PI'd=Postponed Indefinitely

POLICY AREA	S/H	BILL #	BILL TITLE	S/O	PAGE	STATUS
Administration	SB	88	Independent Ethics Commission	W	12,25	PI'd
Behavioral Health	HB	1032	Licensed Mental Health Professionals Treat Minors	S	8,31	S-HHS
Children's Issues	SB	87	Foster Care & Kin Care Placement Background Checks	S	31,41	S-2nd Rdg
Children's Issues	SB	131	Fostering Success Collaborative for Foster Youth	S	41	S-Fin
Education	SB	3	Ed Evaluations Fifty Percent Academic Growth	S	18	S-Ed
Education	SB	33	Increasing Funding For Public Pre-K-12 Education	W	24	PI'd
Education	SB	45	Tax Credits For Nonpublic Education	O	8,32	S-App
Education	SB	56	Frequency Of Statewide Social Studies Testing	W	23	S-Ed
Education	SB	73	Restrict Statewide Tests To Federal Requirements	W	23	S-Ed
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Elections	HB	1130	Overseas Citizens Municipal Election Voting Access	S	13	H-SA
Elections	HB	1193	Rights Of Watchers In Elections	O	26	H-SA
Energy	SB	44	Electric Renewable Energy Standard Reduction	O	30	H-SA
Energy	SB	46	Renewable Energy Std Adjust REAs Distributed Gen	O	30	S-Ag
Energy	HB	1118	Hydroelectric Power	O	30	PI'd
Equal Opportunity	SB	69	Repeal Job Protection Civil Rights Enforcement Act	O	18,42	S-App
Equal Opportunity	HB	1133	Continue Colorado Pay Equity Commission	S	32	H-App
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Gun Safety	SB	86	Repeal Gun Transfer Background Check Rqmnt & Fee	O	13,27	S-App
Gun Safety	HB	1009	Repeal Large Ammo Magazine Ban	O	7,38	PI'd

Gun Safety	HB	1049	Deadly Force Against Intruders In Businesses	O	7,27	Pl'd
Gun Safety	HB	1050	Repeal Gun Transfer Background Check Rqmnt & Fee	O	7,27	Pl'd
Gun Safety	HB	1086	CBI Produce Certificates For Gun Transferees	O	13,27	Pl'd
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Income Assistance	HB	1033	Strategic Planning Group On Aging	S	9,44	H-App
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