



March 20, 2017

LL#5:57

2017 CAMPAIGN FINANCE REFORM LEGISLATION

On Wednesday, March 13, 2017, House Democrats announced four new bills to close loopholes and increase transparency in Colorado Campaign finance law. Voters of all political persuasions are tired of the large and growing influence of money in politics, especially when it's difficult to tell who is spending that money. The LWV has identified our Money in Politics position as one of its goals for education and advocacy this year. The Legislative Action Committee (LAC) has taken a position of **Support** on all of these bills.

HB 1259 Independent Expenditure Committee and Candidates (Rep. Weismann; None) A recent Colorado Court of Appeals case left open the possibility that a candidate could create an independent expenditure committee to receive unlimited donations. This bill updates Colorado law to make clear that any independent expenditure committee established, financed, or maintained by a candidate or candidate committee is subject to the contribution limits and restrictions that are imposed on candidate committees as specified in the state constitution.

HB 1260 Contribution Limits for County Offices (Rep. Kennedy; Sen. Fenberg) This bill levels the playing field by limiting individual contributions to county candidates to \$2500 per cycle with proportional limits for partnerships, political committees, small donor committees and political parties. The bill maintains the prohibition on corporate contribution. The bill defines "county office" to mean a county commissioner, county clerk and recorder, sheriff, coroner, treasurer assessor or surveyor. It does not include school board members, which may come in a later bill.

HB 1261 Disclaimers Large Electioneering Communications (Reps. Becker and Bridges; None) Under current law, mass "electioneering communications" are not required to state who is paying for them, leaving voters unable to assess the credibility of these communications or to know who is funding the effort. This bill requires a short and simple disclosure of the "electioneering communication" spender's identity for expenditures of \$1,000 or more within a calendar year.

HB 1262 Expand Disclose Electioneering Communications (Reps. Becker and Bridges; None) Electioneering communications are certain communications that unambiguously refer to a candidate, disseminated to the public within 30 days before primary election or within 60 days before the general election. This bill expands the definition of this term in the "Fair Campaign Practices Act" to include any communication that satisfies all other requirements of the definition of

the term specified in the state constitution but that is broadcast, printed, mailed, delivered or distributed between the primary and general election. It closes the gap between the end of the primary and the 60 days before the election.

We are also supporting **HB 1155 Cure Campaign Finance Reporting Deficiencies (Rep. Thurlow and Gardner)**, which would allow candidates or committees, upon receiving a complaint, to file an addendum to the report to cure any deficiencies within a 15 day grace period without any penalties. This bill is scheduled for Second Reading in the House on Monday, March 20, 2017.

All of these bills, if passed, would increase transparency for the voter, close loopholes in campaign donations, and reduce litigation over minor infractions. They align with the LWVUS public policy position on Money in Politics which states that: “campaign finance regulations should ensure political equality for all citizens, ensure transparency, protect representative democracy from distortion by big money, and combat corruption and undue influence in government. The League believes that campaign spending must be restricted but not banned. The League supports public financing, full disclosure, abolishing SuperPacs and creating an effective enforcement agency.” (LWVUS *Impact On Issues* 2016-2018, p. 1)

Deborah Gard 720.933.2803

GOVERNMENT

ELECTIONS

EARLY VOTING CHANGES ADVANCE

SB 71 Voter Service and Polling Centers Early Voting General Election (Sen. Tate; none) (watch)
League supported the concept of cutting back VSPCs when they are underutilized, but we believe that, as reflected in the long lines in some instances during the November election, the opportunities for VSPC use during the second week and up to and including election day should be enhanced.

The bill was heard in Senate State Affairs on February 22nd and then on March 6th for action only. At that hearing the bill was amended to include adjustments to the VSPC requirements in the bill and created an additional tier of counties for VSPC purposes (no objection), required counties to locate sites on the campuses of state colleges with more than 15,000 students (4-1 vote with Marble opposing), and specified how county clerks consult with their school boards regarding the use of schools as VSPCs (no objection). Senator Fenberg proposed seven amendments in an attempt to tweak the availability of sites toward the end of the election cycle, all of which were defeated on 3-2 votes with the exception of one where a member was excused and the vote was a tie. As amended the bill was sent on to the Committee of the Whole on a 3-2 vote (Scott, Sonnenberg and Marble supported; Fenberg and Court opposed).

The Second Reading in the Senate has been laid over on a daily basis and is currently scheduled for March 20th.

Previously reported: LL#2, p. 17.

Carol Tone 303.884.8429

IMMIGRATION

LEAVE IMMIGRATION ENFORCEMENT TO THE FEDS

NEW **HB 1230 Protect Colorado Residents from Federal Government Overreach (Reps. Salazar & Esgar; Sens. Kagan & Guzman) (support)** This bill was introduced on March 6 and assigned to the House Judiciary Committee. On March 16, it was referred to the House Committee of the Whole and is scheduled to be worked on in the House on March 21.

This bill prohibits a state or political subdivision from:

- Providing the race, ethnicity, national origin, immigration status or religious affiliation of a Colorado resident to the federal government without determining if it is for a legal and constitutional purpose;
- Aiding or assisting the federal government in creating, maintaining, or updating a registry for the purpose of identifying Colorado residents based on those same factors.
- Aiding or assisting the federal government or a federal agency in marking or otherwise placing a physical or electronic identifier on a person based the same factors.
- Aiding or assisting, including using state or local lands or resources, the federal government in

interning, arresting or detaining a person based on those same factors.

The League supports a system for unauthorized immigrants in the country to earn legal status, including citizenship. Until those policy reforms are in place, the League does not support deporting unauthorized immigrants with no history of criminal behavior. It supports due process for all persons, including the right to a fair hearing, right to counsel, right to appeal and right to humane treatment. In addition, the League believes immigration should be responsive to those facing political persecution or a humanitarian crisis. Finally, the League supports programs for foreign workers to enter and leave the U.S. to meet seasonal or sporadic labor needs.

Amy Sherwood 847.239.0236

JUSTICE SYSTEM

COMMUNITY CORRECTIONS BILL PASSES

HB 1147 PURPOSE OF COMMUNITY CORRECTIONS (Rep. Sias; Sen. Kagan) (Support)

clarifies the purpose of community corrections programs. The bill passed with a vote of 64-0-1 in the House on March 6 (J. Becker Excused) and the Senate unanimously passed the bill on March 17. The bill is awaiting signature by House Speaker and Senate President.

Previously reported: LL#4, p. 46.

Lucinda Schneller 720.254.5741

REDUCE INMATES' SENTENCES IN COUNTY JAILS

HB 1015 CLARIFY GOOD TIME SENTENCE REDUCTIONS IN JAILS (Rep. Hooton; Sen. Cooke) (Support)

consolidates and clarifies the various statutes governing deductions of time for county jail inmates. The Senate passed the bill unanimously with amendments on March 9. The House considered and concurred with the amendments with a vote of 61-4 on March 13. The bill awaits the Governor's signature.

Previously reported: LL#3, p. 32, LL#4, p. 47

Lucinda Schneller 720.254.5741

JUVENILE JUSTICE

DETENTION BILL PASSES FIRST COMMITTEE

HB 1207 No Detention Facility Requirement Youth Ages 10-12 (Rep. Lee; Sen. Priola) (support) prevents a child aged 10 through 12 from being ordered to detention unless he/she has been arrested for a felony or a weapons charge. It passed unanimously out of House Judiciary on Mar. 7 and was sent to Appropriations, because it has the potential to decrease state expenditures by \$13,359 for FY 2016-2017 and \$160,270 for FY 2017-2018 and FY 2018-2019.

There was compelling testimony from the State Department of Human Services, the Office of the Child's Representative, Denver County Human Services, and the Colorado Criminal Defense Bar as to why young children do not belong in detention when they have committed low level crimes. Placing young children in secure facilities with older more dangerous youth not only places them at risk of being victimized but also can exacerbate existing mental health conditions and increase their risk of recidivism.

When these young children are not detained, they will be eligible for SB 94 services which will allow them to be safely managed in the community. There was some concern on the part of legislators and some counties that the counties might have to take on these children. However, it was pointed out that many of these children already are being served by county departments. In response to this concern, Rep. Lee offered an amendment that requires reasonable efforts on the part of law enforcement and the court to keep the child with his/her parent, guardian, or legal custodian. The amendment passed unanimously.

Previously reported: LL#4, p. 48.

Carla Bennett 303.757.2930

NATURAL RESOURCES

ENERGY

OIL & GAS SETBACKS

NEW **HB 1256 Oil and Gas Facilities Distance from School Property (Rep. Foote; None) (support)**. This bill is asking for clarification from the Colorado Oil & Gas Conservation Commission (COGCC) to have future

wells be at least 1000 feet from any public or private school's property line. Presently the COGCC requires the setback to be measured from the school building, but this bill is asking measurement to be from the school property line. This bill is not retroactive and would not apply to schools with active wells already nearby. This is a basic safety issue, and, until there is more data regarding potential health issues around oil and gas operations, this is a necessary move. The bill has been assigned to House Health, Insurance and Environment and scheduled for a hearing on March 23rd.

Jeannette Hillery 303.494.7718

END TAX CREDITS FOR CLEAN CARS

NEW SB 188 Repeal Income Tax Credit Innovative Motor Vehicles (Sen. Marble; None) (oppose) This bill repeals income tax credits promised to last until January, 2021. This bill would not allow tax credits past the end of this year for the purchase or lease of innovative automobiles and trucks. It would credit the amounts of tax revenue estimated to be retained by the repeal to the highway user fund. It requires the Secretary of State to submit a ballot question as a proposition for the November 2017 election ballot. It asks voters to increase tax revenue by the repeal, to credit the revenue to the highway users fund, and to allow an estimate of the resulting revenue collected to be spent, notwithstanding TABOR limitations.

The League opposes this bill, because it would eliminate incentives that encourage energy efficient vehicles, which are technologically advancing, to be purchased, leased, and used. It removes a measure to reduce vehicular pollution which affects Colorado's health and safety. The effect of the current law is both to reduce emissions from fossil fuel vehicles but also to encourage the use of electric vehicles. While Colorado electricity is now generated primarily with fossil fuels (e.g., Xcel produces 54% from coal, 24% from natural gas, and 22% from renewable sources), these percentages will continue to transition to greater use of natural gas and renewables as time goes on.

This bill was introduced in the Senate on February 14. It passed the Senate Committee on Finance on a vote of 3-2 on February 28th and was referred, as amended, to Appropriations. (Voting Yes: Hill, Tate, and T. Neville. Voting No: Court and Kerr.)

Amy Sherwood 847.239.0236

WATER

GRAYWATER USE

HB 1008, Graywater Regulation Exemption for Scientific Research (Rep. Arndt; Sen. Sonnenberg) (support) was asking to facilitate scientific research related to graywater use and human subjects. After a lengthy meeting in House Agriculture Committee on March 13th, action was taken on March 15th. Amendments were added to explain that scientific research was related to human exposure to graywater and expanding groups doing research to water utilities and that this was strictly treated graywater and for research purposes. This passed the committee unanimously and is going to the floor for Second Reading on March 20.

Previously reported: LL #2, p. 20

Jeannette Hillery 303.494.7718

SOCIAL POLICY

BEHAVIORAL HEALTH

COMPREHENSIVE, COORDINATED AND SYSTEMIC RESPONSE TO COLORADO'S BEHAVIORAL CRISES

NEW SB 207 Strengthen Colorado Behavioral Health Crisis System (Sens. Kagan & Cooke; Reps. Salazar & Sias) (support) Introduced on March 3, this bill, clarifying the state's intent to establish a coordinated behavioral health crisis response system, comes after the Governor's veto of a bill last year due to concerns that the 2016 bill did not provide adequate due process for individuals experiencing a mental health crisis. A task force to study the issue of mental health holds and due process was instrumental in bringing the 2017 bill.

This bill will spell the end of using jails and correctional facilities as placement options for individuals placed on emergency mental health holds if they have not also been charged with a crime and enhances the ability of emergency departments to serve individuals who are experiencing a behavioral health crisis. The crisis system is intended to provide an appropriate first line of response to individuals in need of an emergency 72-hour mental health hold. The statewide framework created by the crisis system strengthens community partnerships and ensures that first responders are equipped with a

variety of options for addressing behavioral health crises that meet the needs of the individual in a clinically appropriate and least restrictive setting without the use of law enforcement.

The bill increases the ability of all crisis service facilities, including walk-in centers, acute treatment units, and crisis stabilization units within the crisis system, regardless of facility licensure, to adequately care for an individual brought to the facility in need of an emergency 72-hour mental health hold. Additionally, the bill expands the ability of mobile response units to be available within two hours from anywhere in the state, either face-to-face or using telehealth operations for mobile crisis evaluations. On or before January 1, 2018, all walk-in centers throughout the state will be required to be appropriately designated, adequately prepared, and properly staffed to accept an individual in need of an emergency 72-hour mental health hold.

Unchanged from state statute CRS 27-65-107 is the stipulation that a person detained for a 72-hour mental health hold, after receiving a behavioral health evaluation, or a respondent under court order for evaluation pursuant to state statutes receiving an evaluation, may be certified for not more than three months of short-term treatment under certain statutory conditions.

The League supports this bill under our Behavioral Health position and applauds this bill's efforts to provide necessary and supportive treatment for behavioral health disorders, particularly for those persons experiencing a behavioral health crisis. We also anticipate that coordinated behavioral health crises interventions as early as possible will help to promote diversion from the criminal justice system and ensure continuity of care.

The bill's fiscal note is in process, and it has been assigned to the Senate Judiciary Committee with a hearing scheduled for March 22.

MEDICAL POT FOR PTSD

SB 17 Allow Medical Marijuana Use for Stress Disorders (Sen. Aguilar; Rep. Singer) (support)

Having passed the Senate and the House State, Veterans, and Military Affairs Committee March 8 on a vote of 8-1, with Rep. Humphrey voting No, this bill awaits its Second Reading in the House, currently scheduled for March 20.

Fiscally, increased workload and decreased revenues are assumed to be minimal.

The League supports this bill under our Behavioral Health position endorsing "access to needed medications."

Previously reported: LL#2, p. 20; LL#3, p. 34, LL#4, p. 50.

NON-STIGMATIZING TERMINOLOGY IN STATE STATUTES

HB 1046 Update Outdated Statutes Persons with Disabilities (Rep. Lebsack; Sen. Donovan) (support)

was signed into law by the Governor on March 16. Colorado statutes contained outdated and insensitive terms related to persons with an intellectual or physical disability, and this bill replaces them. The bill does not make any changes to the substance of existing law or policy.

The League supports the use of terminology that aims to reduce societal stigmas associated with insensitive or outdated terms.

Previously reported: LL#1, p. 8; LL#2, p. 21; LL#3, p. 34, LL#4, pp. 50.

MENTAL ILLNESS TASK FORCE STAFFING ASSISTANCE

HB 1020 Staffing Task Force Mental Illness Justice System (Rep. Singer; Sen. Humenik) (support)

was signed into law by the Governor on March 8.

The bill amends provisions in current statute to provide for ongoing staff support by the Office of Behavioral Health within existing appropriations for the task force concerned with the treatment of persons with mental illness in the criminal and juvenile justice systems.

Previously reported: LL#1, p. 9; LL#2, p. 21; LL#3, p. 34, LL#4, p. 51.

PREVENTING SUBSTANCE ABUSE & DRUG OVERDOSES

SB 193 Research Center Prevention Center Substance Abuse Addiction (Sens. Jahn & Lundberg; Reps. Rankin & Pettersen) (support)

unanimously passed Senate Appropriations on March 14 and is awaiting its Second Reading in the Senate on March 20.

By establishing a state center dedicated to developing and implementing prevention strategies for and the treatment of abuse of and addiction to opioids, other

controlled substances, and alcohol, this bill takes direct aim at the opioid and substance abuse epidemic that has emerged in Colorado.

Previously reported: LL#4, p. 51.

PROVIDING SUPPORT FOR PEACE OFFICERS

HB 1215 Mental Health Support for Peace Officers (Rep. Coleman; Sens. Kagan & Gardner) (support) unanimously passed the House Judiciary Committee on March 14 and was referred to the House Committee of the Whole with a recommendation to place it on the Consent calendar. It awaits its Second Reading in the House on March 20.

The bill encourages each sheriff's office and each municipal police department to adopt a policy whereby mental health professionals, to the extent practicable, provide on-scene response services to support officers' handling of persons with mental health disorders and counseling services to officers.

Beginning in FY 2017-18, the bill increases workload for DOLA to develop policies and procedures required to implement the grant program. DOLA will have continued workload once the grant program is in place to report progress to the General Assembly each year during its SMART Act hearing. Conditional upon the receipt of gifts, grants, and donations, or other funding appropriated by the General Assembly, costs will increase to administer the program and provide funding to eligible local governments. The bill limits administrative costs to five percent of total program funding. There are about 300 entities that may be eligible to apply for funding, but the fiscal note assumes that the amount of individual grants cannot be estimated until an appropriation is made for this purpose. If funding of \$500,000 were available, for example, DOLA would be allowed to expend \$25,000 on administration and \$475,000 would be made in grants. If a grant program is implemented, DOLA will require at least \$23,825 to modify the existing Grant Management System.

Previously reported: LL#4, p. 52.

COMBATING THE EPIDEMIC OF OPIOID ADDICTION

SB 74 Create Medication Assisted Treatment Pilot (Sen. Garcia, Rep. Esgar) (support) passed Senate Appropriations on March 14 on a vote of 6-1, with Sen. Sonnenberg voting No. It has been referred to the

Senate Committee of the Whole and awaits its Second Reading in the Senate on March 20.

This bill, creating a two-year pilot program in Pueblo and Routt counties where there are high levels of opioid addiction, would award grants to increase access to addiction treatment.

The medication-assisted treatment (MAT) pilot program, administered by the University of Colorado College of Nursing, expands access to opioid-dependent patients in these two counties.

Previously reported: LL#1, p. 8; LL#2, p. 22.

All reported by Linda Rinehart 720.989.8944

CHILDREN'S ISSUES

CHILD PROTECTION TEAM BILL PASSES

SB 16 County Choice Child Protection Teams (Sens. T. Neville and Jahn; Reps. Nordberg and T. Kraft-Sharp) (oppose) makes child protection teams voluntary rather than mandatory for county departments of human services. It was heard in House Public Health Care and Human Services on Mar. 14 and passed unamended to the Committee of the Whole by a vote of 12-0 with Rep. Pabon excused. It is currently scheduled for second reading on Monday March 20.

Previously reported: LL#1, p. 10; LL#2, p. 22.

Carla Bennett 303.757.2930

MANDATORY REPORTER BILL PASSES FIRST HURDLE

HB 1185 Reports of Suspected Child Abuse or Neglect (Rep. Singer; Sen. Smallwood) (support) adds officials and employees of county departments of health, human services, or social services to the list of mandatory reporters of child abuse/ neglect. It was heard in House Public Health and Human Services for a vote on Mar. 7 and passed unanimously to the Committee of the Whole with no amendments. It has been laid over for 2nd Reading until Mar. 20.

Previously reported: LL#4, p. 52.

Carla Bennett 303.757.2930

EDUCATION

EQUITABLE FUNDING FOR SCHOOLS

NEW **HB 1182 Charter School and District School Student Revenue True Up (Rep. Benavidez; None) (watch)** would require a public school district to provide each of its authorized charter schools an accounting of excess revenue attributable to students who transfer after the October 1 count date from charter to non-charter schools or to schools in other districts as well as district students who transfer into charter schools.

Each charter school must then reimburse the authorizing school district for the total amount of excess student revenue. The amount owed for each student will be based on the transfer date. The charter school may subtract the portion of excess revenue attributable to district students who transfer into the charter school after October 1. If the charter student transfers to another district, the authorizing district will collect the refund and forward it to the other district.

The only fiscal impact would be a potential administrative burden on the district, primarily in large districts with multiple charter schools where several hundred students may be involved.

The bill is scheduled to be heard in the House Education Committee on March 27th.

Bev Jones 303.721.7449

MANDATE TO SHARE LOCAL FUNDS MOVES TO HOUSE

SB 61 Additional Funding Charter School Operating Costs (Sens. Hill & Williams; Rep. Sias) (oppose) passed the Senate on March 14 on a 22-13 vote. It now heads to the House. Much concern has been raised by the opponents. The bill mandates that school districts share mill levy overrides (including those already instituted) on an equal per-pupil basis with district charter schools. LWVCO supports local school districts having control over any funds raised above state funding; thus, we strongly oppose this mandate.

Proponents argue that all district students deserve an equal share of funding. Opponents point out that district schools themselves are not on an equal footing with charters given that charters are eligible for 17 automatic waivers and many others for which they can apply (see list here: <https://www.cde.state.co.us/cdechart/report-waiversbycharterschool-0>). Traditional public schools are not allowed these cost cutting waivers, including not

having to adhere to union salary schedules, competitive bidding, or due process for teachers. Many districts, including Denver and Jefferson County, already have agreements with their charter schools to share their mill levy funds. This mandate is aimed at districts that do not share, typically smaller districts that are already seriously strapped for funds given tight funding from the state.

The bill has not yet been assigned to a committee in the House.

Previously reported: LL#2, p. 24; LL#3, p. 36; LL#4, p. 53.

Senate Vote

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar		N Garcia		N Kerr		N Scott	Y
Baumgardner		Y Gardner		Y Lambert		Y Smallwood	Y
Cooke		Y Guzman		N Lundberg		Y Sonnenberg	Y
Coram		N Hill		Y Marble		Y Tate	Y
Court		Y Holbert		Y Martinez Humenik		Y Todd	N
Crowder		Y Jahn		Y Merrifield		N Williams A.	Y
Donovan		N Jones		N Moreno		Y Zenzinger	N
Fenberg		N Kagan		N Neville T.		Y President	Y
Fields		Y Ketalas		N Priola		Y	

NO COST WAY TO IMPROVE ACADEMIC SUCCESS SCUTTLED

Parents whose employers refuse to provide flexibility for them to attend their children's academic activities are again on their own. The Academic Leave Act, in effect in Colorado from 2009 to 2015, was, for the second year in a row, refused by the state senate. **HB 1001 Employee Leave Attend Child's Academic Activities (Rep. Buckner; Sen. Kerr) (support)** was Pl'd in Senate State Affairs March 15 on a 3-2 vote (Voting YES to Postpone Indefinitely: Sens. Sonnenberg, Marble, and Scott. Voting No: Sens. Court & Fenberg).

Previously reported: LL#1, p. 11; LL#3, p. 36.

Both reported by Sally Augden 303.455.5800

EQUAL OPPORTUNITY

GENDER ID BILL HEADS TO SENATE

HB 1122 Gender Identification On Birth Certificates (Rep. Esgar; Sen. Moreno) (support) would change Colorado law to allow transgender people to change the gender designation on their birth certificates without a court order and without proof of gender reassignment surgery. Instead, the certificate can be changed (without an "amended" stamp) by the state registrar upon receipt of a written request and a statement from a medical or mental health provider. In House Judiciary March 9, most of the 20 or so witnesses testifying for the bill spoke to the burden of the surgery requirement, saying that surgery is not always medically recommended or

possible. Transgendered Coloradoans who spoke, ranging from children to seniors, described the humiliation of appearing in open court and of having to provide "amended" birth certificates for ID purposes.

Only three witnesses spoke (all through representatives) against the bill. A coalition of pediatric medical organizations claimed that gender is determined at birth and cannot be changed, childhood "ideation" toward transgender identity is usually outgrown, and "improperly provided documents" can lead to fraud (such as boys playing on girls' sports teams). The Family Policy Alliance also stressed the possibility of fraud, and a Douglas County commissioner and former coroner cited the confusion that could arise in the identification of corpses.

Legal experts discounted the fears of fraud by citing the secure and confidential process this bill would provide. Several transgendered witnesses cited the tremendous physical and legal challenges involved in changing one's gender and gender identity as an unlikely fraud scenario.

This bill – designated the 2017 Birth Certificate Modernization Act – would bring Colorado in line with 31 other states and the federal government in not requiring surgery as proof of changed gender. As several committee members remarked, the bill represents smaller and less intrusive government and helps make Coloradoans' lives better, and there are no losers.

HB 1122 passed the committee by a vote of 7-4. Voting Yes: Benavidez, Foote, Herod, Melton, Weissman, Salazar, Lee. No: Carver, Lundeen, Willett, Wist. On March 15, the bill passed 3rd Reading in the house on a vote of 37-26-2.

Previously reported: LL #2, p. 25.

House Vote

	YES	37	NO	26	EXCUSED	2	ABSENT	0
Arndt	Y		Foote	Y	Leonard	N	Ransom	N
Becker J.	N		Garnett	Y	Lewis	N	Rosenthal	Y
Becker K.	Y		Ginal	Y	Liston	N	Saine	E
Beckman	N		Gray	Y	Lontine	Y	Salazar	Y
Benavidez	Y		Hamner	Y	Lundeen	N	Sias	N
Bridges	Y		Hansen	Y	McKean	N	Singer	Y
Buck	N		Herod	Y	McLachlan	Y	Thurlow	Y
Buckner	Y		Hooton	Y	Melton	Y	Valdez	Y
Carver	N		Humphrey	N	Michaelson Jenet	Y	Van Winkle	N
Catlin	N		Jackson	Y	Mitsch Bush	Y	Weissman	Y
Coleman	Y		Kennedy	Y	Navarro	N	Willett	N
Covarrubias	N		Kraft-Tharp	Y	Neville P.	N	Williams D.	N
Danielson	Y		Landgraf	N	Nordberg	N	Wilson	N
Esgar	Y		Lawrence	N	Pabon	Y	Winter	Y
Everett	N		Lebsock	Y	Pettersen	Y	Wist	N
Exum	E		Lee	Y	Rankin	N	Young	Y
							Speaker	Y

CONVERSION THERAPY BAN IN SENATE COMMITTEE

HB 1156 Prohibits Conversion Therapy Mental Health Provider (Rep. Rosenthal; Sen. Fenberg) (support) passed 38-27 on 3rd Reading in the House March 7. It will be heard in Senate State, Veterans, & Military Affairs Committee March 22. Read previous reports in LL #3, p. 40, and LL #4, p. 53.

Both reported by Leslie Chomic, 303.863.0437

House Vote

	YES	38	NO	27	EXCUSED	0	ABSENT	0
Arndt	Y		Foote	Y	Leonard	N	Ransom	N
Becker J.	N		Garnett	Y	Lewis	N	Rosenthal	Y
Becker K.	Y		Ginal	Y	Liston	N	Saine	N
Beckman	N		Gray	Y	Lontine	Y	Salazar	Y
Benavidez	Y		Hamner	Y	Lundeen	N	Sias	N
Bridges	Y		Hansen	Y	McKean	N	Singer	Y
Buck	N		Herod	Y	McLachlan	Y	Thurlow	Y
Buckner	Y		Hooton	Y	Melton	Y	Valdez	Y
Carver	N		Humphrey	N	Michaelson Jenet	Y	Van Winkle	N
Catlin	N		Jackson	Y	Mitsch Bush	Y	Weissman	Y
Coleman	Y		Kennedy	Y	Navarro	N	Willett	N
Covarrubias	N		Kraft-Tharp	Y	Neville P.	N	Williams D.	N
Danielson	Y		Landgraf	N	Nordberg	N	Wilson	N
Esgar	Y		Lawrence	N	Pabon	Y	Winter	Y
Everett	N		Lebsock	Y	Pettersen	Y	Wist	N
Exum	Y		Lee	Y	Rankin	N	Young	Y
							Speaker	Y

HEALTH CARE

INCREASING FOCUS ON CARRIER ACCOUNTABILITY

NEW HB 1173 Health Care Providers and Carriers Contracts (Rep. Hansen; Sen. T. Neville)(support)

The bill concerns the contract between a health insurance carrier and a health care provider and disagreements in health care decisions. The bill requires the contract to contain a provision that prohibits a carrier from taking an adverse action against the provider due to a provider's disagreement with a carrier's decision on the provision of health care services. The contract would prohibit a carrier from taking adverse actions against providers for: communicating with public officials on health care issues: filing complaints or reporting to public officials about carrier conduct that might negatively affect patient care; reporting alleged carrier violations; or participating in an investigation of an alleged violation.

League supports this bill because we believe it supports quality of care for consumers.

Introduced in the House on February 6th, the bill was heard in Health Insurance & Environment on February 21st where it passed on a Vote of 8-3

(Voting Yes: Covarrubias, Danielson, Kennedy, Landgraf, Lontine, Singer, Esgar, and Ginal. Voting No: Beckman, Humphrey, and Ransom.) The bill passed Third Reading in the House on February 28th on a vote of 39-26. It was introduced in the Senate on February 28th and referred to Business, Labor & Technology to be heard on March 20th.

House Vote

YES	39	NO	26	EXCUSED	0	ABSENT	0
Arndt	Y	Foote	Y	Leonard	N	Ransom	N
Becker J.	N	Garnett	Y	Lewis	N	Rosenthal	Y
Becker K.	Y	Ginal	Y	Liston	N	Saine	N
Beckman	N	Gray	Y	Lontine	Y	Salazar	Y
Benavidez	Y	Hamner	Y	Lundeen	N	Sias	N
Bridges	Y	Hansen	Y	McKean	N	Singer	Y
Buck	N	Herod	Y	McLachlan	Y	Thurlow	N
Buckner	Y	Hooton	Y	Melton	Y	Valdez	Y
Carver	Y	Humphrey	N	Michaelson Jenet	Y	Van Winkle	N
Catlin	N	Jackson	Y	Mitsch Bush	Y	Weissman	Y
Coleman	Y	Kennedy	Y	Navarro	N	Willett	N
Covarrubias	N	Kraft-Tharp	Y	Neville P.	N	Williams D.	N
Danielson	Y	Landgraf	Y	Nordberg	N	Wilson	N
Esgar	Y	Lawrence	N	Pabon	Y	Winter	Y
Everett	N	Lebsock	Y	Pettersen	Y	Wist	N
Exum	Y	Lee	Y	Rankin	N	Young	Y
						Speaker	Y

NEW SB 88 Participating Provider Network Selection Criteria (Sens. A. Williams & Holbert; Reps. Van Winkle & Hooton) (support) The bill requires a health insurer (carrier) to develop and use standards for selecting its network of providers and tiering of those providers. It provides that a carrier cannot establish selection criteria in a manner that would allow a carrier to discriminate against high-risk patient populations or exclude providers that treat high-risk populations. It requires clearer communications in carrier actions that have an impact on networked providers.

League supports this bill as we believe it supports quality of care and transparency for consumers.

The bill was heard in Business, Labor & Technology on February 13th, where it was referred to Appropriations on a vote of 5-2 (Voting Yes: Jahn, Kerr, Priola, A. Williams, Tate. Voting No: Smallwood, T. Neville). The bill passed Third Reading in the Senate on March 13th on a vote of 30-5 (Baumgardner, Lambert, Lundberg, Marble, and Sonnenberg voting No). It was introduced in the House on March 15th and assigned to Health, Insurance and Environment where it is scheduled for a hearing on March 30.

NEW SB 133 Insurance Commissioner Investigation of Provider Complaints (Sen. Tate; Rep. Young) (support) The bill concerns complaints by health care providers to the insurance commissioner regarding the improper handling of claims by health insurance carriers,

requiring a determination by the commissioner of unfair or deceptive health insurance carrier practices, and imposing penalties.

League supports this bill because we believe it increases transparency and supports quality care for the consumer.

The bill is assigned to Business, Labor & Technology.

NEW SB 203 Prohibit Carrier from Requiring Alternative Drug (Sen. Todd; Reps. Covarrubias, Kennedy) (support) The bill concerns the prohibition against a carrier requiring a person to undergo step therapy and requiring coverage for a drug that is part of the carrier’s medication formulary, in the situation that a person is being treated for a terminal condition, or if the person has previously tried a step-therapy-required drug and the drug was discontinued by the manufacturer. Step therapy is a protocol that requires a covered person to use a drug other than that recommended by the health care provider as a first step, with the assumption being that a lower cost drug is tried first and must fail as a treatment before moving on to a more expensive drug.

League supports this bill because we believe it enhances quality of care.

The bill was assigned to Business, Labor & Technology where it was heard on March 15th and referred to the Committee of the Whole on a unanimous vote.

OTHER HEALTH CARE BILLS – NEW AND OLD

HB 1094 Telehealth Coverage under Health Benefit Plans (Reps. Buck & Valdez; Sens. Crowder & Donovan) (support) The bill clarifies telehealth services under health benefit plans. The bill was signed by the Governor on March 16th.

Previously reported: LL#3, p. 39; LL#4 p. 53.

NEW HB 1235 Financial Relief Defray Individual Health Plan Cost (Reps. Mitsch Bush, Hamner; Sens. Crowder & Coram) (support) For an 18 month period, the bill provides financial relief to defray the cost of health insurance for a segment of the population currently not eligible for tax credits as part of the Affordable Care Act (ACA). The bill provides for assistance to individuals earning a household income of between 400%-500% of the federal poverty level (approximately \$100,000-\$125,000) if they spend more than 15% of their household income in premiums for health insurance purchased through the Colorado health benefit exchange. Individuals below 400% of the federal

poverty level currently may receive tax credits, and this bill extends assistance to another income level. The tax credits available would only be applicable if the ACA tax credits remain in effect. Targeted populations are rural and mountain communities experiencing extraordinary health insurance premium prices and increases, said to be some of the highest in the nation, while income levels are often modest.

League supports this bill as we believe it enhances access to health care.

The bill was assigned to Health Insurance & Environment where it will be heard on March 30th.

NEW HB 1236 HCPF Annual Report on Hospital Expenditures (Rep. Kennedy; Sens. Smallwood, Coram) (support) The bill provides that the Department of Health Care Policy and Financing (HCPF) prepare an annual report of uncompensated hospital costs and the different categories of expenditures made by general hospitals. It specifies that HCPF prepare the report with publicly available data sources and that hospitals submit their information to HCPF so they can do this.

League supports this bill as we believe it enhances transparency in health care costs.

The bill is assigned to Health Insurance & Environment where it will be heard on March 23rd.

SB 4 Access to Providers for Medicaid Recipients (Sen. Tate; Rep. Wist) (oppose) Under this bill a Medicaid client is liable for the cost of medical services of a non-enrolled health care provider even in cases where the service is reimbursable under Medicaid. The bill is assigned to House State, Veterans and Military Affairs to be heard April 13th.

Previously reported LL#1, p. 12; LL#4, p. 53.

NEW SB 206 Out-of-network Providers Payments Patient Notice (Sen. Gardner; Rep. Singer) (watch) The bill concerns health care services provided by an out-of-network provider and specifies the amount a carrier must pay that provider if they provide services within an in-network facility to a patient who is receiving services covered by their health plan. The bill requires health care facilities, out-of-network providers,

and carriers to disclose information to a covered person regarding services provided at an in-network facility. It establishes an independent dispute resolution process for resolving payment disputes between out-of-network providers and carriers.

League is monitoring this bill which calls attention to the lack of coordination in health plan carriers and providers resulting in lack of clarity and financial risk to consumers.

The bill was assigned to Business, Labor & Technology to be heard on March 21st.

All reported by Carol Pace 303.863.0437

INCOME ASSISTANCE

CONTINUE ENERGY ASSISTANCE

HB 1116 Continue Low-Income Household Energy Assistance (Rep. Hamner & Rep. Exum; Sen. Martinez-Humenik) (support) This bill would continue energy-related assistance to low-income households.

On March 9, the House passed the bill on its Third Reading 48-17. It was sent to the Senate Agriculture, Natural Resources & Energy Committee where it is scheduled for hearing March 23.

Previously reported: LL#3, p. 54.

Carol Andersen 720.692.0407

House Vote

	YES	48	NO	17	EXCUSED	0	ABSENT	0
Arndt	Y		Foote	Y	Leonard	N	Ransom	N
Becker J.	Y		Garnett	Y	Lewis	Y	Rosenthal	Y
Becker K.	Y		Ginal	Y	Liston	N	Saine	N
Beckman	N		Gray	Y	Lontine	Y	Salazar	Y
Benavidez	Y		Hamner	Y	Lundeen	N	Sias	N
Bridges	Y		Hansen	Y	McKean	Y	Singer	Y
Buck	N		Herod	Y	McLachlan	Y	Thurlow	Y
Buckner	Y		Hooton	Y	Melton	Y	Valdez	Y
Carver	Y		Humphrey	N	Michaelson Jenet	Y	Van Winkle	N
Catlin	Y		Jackson	Y	Mitsch Bush	Y	Weissman	Y
Coleman	Y		Kennedy	Y	Navarro	Y	Willett	N
Covarrubias	N		Kraft-Tharp	Y	Neville P.	N	Williams D.	N
Danielson	Y		Landgraf	Y	Nordberg	Y	Wilson	Y
Esgar	Y		Lawrence	Y	Pabon	Y	Winter	Y
Everett	N		Lebsock	Y	Pettersen	Y	Wist	N
Exum	Y		Lee	Y	Rankin	N	Young	Y
							Speaker	Y

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 or Monitor

POLICY AREA	S/H	BILL #	BILL TITLE	S/O	PAGE	STATUS
Administration	SB	40	Public Access To Gov Files	S	15,44	S-2nd Rdg
Behavioral Health	SB	12	Competency Restoration Services & Education	W	49	S-App
Behavioral Health	SB	17	Allow Medical Marijuana Use For Stress Disorders	S	20,34,50,61	H-2nd Rdg
Behavioral Health	SB	19	Medication Mental Illness In Justice Systems	S	9,22	S-App
Behavioral Health	SB	21	Assistance To Released Mentally Ill Offenders	S	49	S-App
Behavioral Health	SB	68	School Counselors Early Support For Students	S	8,21,35,51	H-Ed
Behavioral Health	SB	74	Create Medication-assisted Treatment Pilot Program	W	8,22,62	S-2nd Rdg
Behavioral Health	SB	193	Research Ctr Prevention Substance Abuse Addiction	S	51,61	S-2nd Rdg
Behavioral Health	SB	207	Strengthen CO Behavioral Health Crisis System	S	60	S-Jud
Behavioral Health	HB	1020	Staffing Task Force Mental Illness Justice Systems	S	9,21,34,51,61	Signed
Behavioral Health	HB	1046	Update Outdated Statutes Persons With Disabilities	S	8,21,34,50,61	Signed
Behavioral Health	HB	1215	Mental Health Support For Peace Officers	S	52,62	H-2nd Rdg
Children's Issues	SB	16	County Choice Child Protection Teams	O	10,22,62	S-2nd Rdg
Children's Issues	SB	177	Children's Code Definition Of Special Respondent	S	52	H-Jud
Children's Issues	HB	1185	Reports Of Suspected Child Abuse Or Neglect	S	52,62	H-2nd Rdg
Education	SB	39	Education Income Tax Credits For Nonpublic School	O	10,38	S-App
Education	SB	61	Additional Funding Charter School Operating Costs	O	24,36,53,63	To House
Education	SB	67	Educator Effectiveness 50% Student Academic Growth	S	11,37	PI'd
Education	SB	103	Early Learning Strategies In Ed Accountability	SIP	23,38	S-App
Education	SB	107	Reward Access To Arts Education In Public Schools	SIP	23,39	S-App
Education	SB	119	Restoration Of School District Mill Levies	W	24,37	PI'd
Education	HB	1001	Employee Leave Attend Child's Academic Activities	S	11,36,63	PI'd
Education	HB	1182	Charter School & District Student Revenue True Up	W	63	H-Ed
Elections	SB	69	Candidate Petition Info Verify Elec Process Study	S	16	PI'd
Elections	SB	99	National Popular Vote Agreement	S	14,31	PI'd
Elections	SB	71	Voter Serv & Polling Ctr Early Voting Gen Election	W	17, 58	S-2nd Rdg
Elections	SB	138	Election Watchers	W	16	S-SA
Elections	HB	1014	Election Offenses Committed By A Voter	W	45	Signed
Elections	HB	1088	Voter Signature Verification & Elec Petition Pilot	O	16	H-SA
Elections	HB	1155	Cure Campaign Fin Reporting Deficiencies	S	58	H-2nd Rdg
Elections	HB	1259	Independent Expenditure Committees & Candidates	S	57	H-SVM
Elections	HB	1260	Contribution Limits For County Offices	S	57	H-SVM
Elections	HB	1261	Disclaimers Large Electioneering Communications	S	57	H-SVM
Elections	HB	1262	Expand Disclosure Electioneering Communications	S	57	H-SVM
Energy	SB	188	Repeal Income Tax Credit Innovative Motor Vehicles	O	60	S-App
Energy	HB	1124	Local Gov Liable Fracking Ban Oil & Gas Moratorium	O	19,48	PI'd
Energy	HB	1256	Oil & Gas Facilities Distance From School Property	S	59	H-HIE
Environmental Quality	SJR	2	Support For Use Of Biochar	W	7,20	Adopted
Environmental Quality	SB	14	Limits On Underground Storage Tank Regulation	O	8,33	H-Tra
Equal Opportunity	HB	1122	Gender Identification On Birth Certificates	S	25,63	S-SVM
Equal Opportunity	HB	1156	Prohibits Conversion Therapy Mental Hlth Provider	S	40,53,64	S-SVM
Fiscal Policy	HB	1187	Change Excess State Revenues Cap Growth Factor	S	45	S-SA
Gun Safety	SB	5	Handgun Safety Training For School Employees	O	18,29	H-SVM
Gun Safety	SB	6	Concealed Carry for Military Under 21	O	29	H-SVM
Gun Safety	SB	7	Repeal Ammo Magazine Prohibition	O	18,28	H-SVM
Gun Safety	SB	116	Concealed Handgun Carry Without Permit	O	30	S-2nd Rdg

Gun Safety	HB	1037	Deadly Force Against an Intruder at a Business	O	30	Pl'd
Gun Safety	HB	1036	Concealed Carry in Public Schools	O	29	Pl'd
Gun Safety	HB	1097	Repeal Ammunition Magazine Prohibition	O	28	Pl'd
Health Care	SB	3	Repeal Colorado Health Benefit Exchange	O	12	S-App
Health Care	SB	4	Access To Providers For Medicaid Recipients	O	12,53	H-SVM
Health Care	SB	57	CO Healthcare Affordability & Sustainability Enter	S	11	S-Fin
Health Care	SB	64	License Freestanding Emergency Departments	S	12	Pl'd
Health Care	SB	84	Coverage For Drugs In A Health Coverage Plan	S	12	Pl'd
Health Care	SB	88	Participating Provider Network Selection Criteria	S	65	H-HIE
Health Care	SB	91	Allow Medicaid Home Health Services In Community	S	12	S-App
Health Care	SB	133	Ins Comm Investigation Of Provider Complaints	S	65	S-BLT
Health Care	SB	203	Prohibit Carrier From Requiring Alternative Drug	S	65	S-2nd Rdg
Health Care	SB	206	Out-of-network Providers Payments Patient Notice	W	66	S-BLT
Health Care	HB	1057	Interstate Physical Therapy Licensure Compact	S	11	H-App
Health Care	HB	1094	Telehealth Coverage Under Health Benefit Plans	S	39,53	Signed
Health Care	HB	1173	Health Care Providers & Carriers Contracts	S	64	S-BLT
Health Care	HB	1235	Financial Relief Defray Individual Hlth Plan Cost	S	65	H-HIE
Health Care	HB	1236	HCPF Annual Report On Hospital Expenditures	S	66	H-HIE
Immigration	HB	1134	Hold Colorado Government Accountable Sanct Jusdct	O	31,46	Pl'd
Immigration	HB	1230	Protect CO Residents From Federal Gov Overreach	S	58	H-2nd Rdg
Income Assistance	HB	1002	Child Care Expenses Income Tax Credit Extension	S	54	H-App
Income Assistance	HB	1116	Continue Low-income Household Energy Assistance	S	25,40,54,66	S-Ag
Income Assistance	HB	1119	Payment Of Workers' Compensation Benefits	S	54	H-Bus
Initiatives	SB	79	Limit Amendments To Initiated Statutory Laws	S	7,18	Pl'd
Initiatives	SB	152	Implement Changes Made By Amendment 71	W	17,31	H-App
Justice System	SB	24	Clarify Intellectual & Dev Disab Hearsay Exception	S	19	H-Jud
Justice System	SB	95	Repeal the Death Penalty	S	33	Pl'd
Justice System	SB	141	Low-Risk Offender Community-Based Treatment	S	33,47	Pl'd
Justice System	HB	1072	Human Trafficking Sexual Servitude	S	19	H-2nd Rdg
Justice System	HB	1015	Clarify Good Time Sentence Reductions in Jails	S	32,47,59	To Gov
Justice System	HB	1040	Interception Of Human Trafficking Communications	S	19	To Gov
Justice System	HB	1132	Judicial Disqualification in Civil Actions	W	32	H-Jud
Justice System	HB	1147	Purpose Of Community Corrections	S	46,59	To Gov
Juvenile Justice	HB	1064	Misuse Of Electronic Images By A Juvenile	W	7,48	H-Jud
Juvenile Justice	HB	1204	Juvenile Delinquency Record Expungement	S	47	H-Jud
Juvenile Justice	HB	1207	No Detention Facility Requirement Youth Ages 10-12	S	48,59	H-App
Reproductive Freedom	HB	1085	Women's Health Protection Act	O	25	Pl'd
Reproductive Freedom	HB	1086	Abortion Pill Reversal Information Act	O	26	Pl'd
Reproductive Freedom	HB	1108	Protect Human Life At Conception	O	25	Pl'd
Water	SJR	13	Public Input and GA Review Before Nutrient Reqmts	W	34	S-Ag
Water	HJR	1004	Funding Prevent Aquatic Nuisance Species	S	20	Adopted
Water	HB	1008	Graywater Regul Exemption For Scientific Research	S	20,60	H-2nd Rdg

The Legislative Letter is written by the members of the Legislative Action Committee, edited by Frank Bennett and Andrea Wilkins, and published by the Colorado League of Women Voters every two weeks during the Legislative Session. To subscribe, please contact the League Office at info@lwvcolorado.org or 303-863-0437 for information about rates and delivery.