



General Government Steering Committee
Thursday, April 7, 2022 | 10:15 AM – 12:15 PM (approx.)

Agenda as of 4/6/2022

Welcome/Introductions

Chair: Commissioner Hilary Cooper, San Miguel County
Vice Chair: Commissioner Scott James, Weld County
CCI Staff: Eric Bergman (ebergman@ccionline.org | 303-915-2909)

New Legislation for Discussion (4 Bills)

<u>HB22-1300, Local Enforcement to Prevent Human Trafficking</u>			
H-Spon	T. Carver & L. Daugherty	S-Spon	R. Fields & R. Gardner
Summary	<p>The bill allows a board of county commissioners (board) to adopt a local resolution or ordinance to establish business licensure requirements to regulate massage facilities for the sole purpose of deterring illicit massage businesses and preventing human trafficking. The bill allows the board to charge an administrative licensure fee for a massage facility.</p> <p>The bill allows a board to adopt a resolution or ordinance to regulate and prohibit activities to prevent the operation of illicit massage businesses that engage in human trafficking-related offenses.</p> <p>The bill allows municipalities to access criminal record history information of a licensee of a massage facility furnished by criminal justice agencies, subject to any restrictions imposed by the agencies.</p>		
Status	Introduced In Senate - Assigned to Local Government		
Position	Pending		

<u>HB22-1356, Small Community-based Nonprofit Grant Program</u>			
H-Spon	L. Herod & E. Hooton	S-Spon	B. Rankin & J. Gonzales
Summary	<p>The bill creates the small community-based nonprofit infrastructure grant program (grant program) in the division of local government in the department of local affairs (division) to provide grants to certain small community-based nonprofit organizations that have been impacted or disproportionately impacted by the COVID-19 public health emergency for infrastructure and capacity building. The division is required to administer the grant program and to contract with no more than 5 nonprofit organizations with specified qualifications (regional access partners) to award and monitor the grants.</p> <p>To be eligible to receive a grant through the grant program, an organization must be one of the following:</p> <ul style="list-style-type: none"> • A small community-based nonprofit organization that operates under section 501 (c)(3) of the federal internal revenue code; • A small community-based nonprofit organization that does not operate under section 501 (c)(3) of the federal internal revenue code and that works with a fiscal agent; or 		

	<ul style="list-style-type: none"> • A collaboration of multiple small community-based groups that are not nonprofit organizations and that work with a fiscal sponsor. <p>The bill specifies the criteria that each small community-based nonprofit organization or each of the small community-based groups that apply for a grant collaboratively are required to satisfy to be considered an eligible recipient for a grant pursuant to the grant program.</p> <p>The bill specifies that grant recipients may use grant program money for infrastructure and capacity building purposes including data technology needs, professional development for staff and board members, strategic planning and organizational development for capacity building and fundraising, communications, and existing program expansion, development, or evaluation. The bill also specifies that grant money cannot be used for capital improvements, real estate or land acquisition, payment of debt, advocacy or lobbying, organizing, endowments, or reserves.</p> <p>To receive a grant, an applicant must submit an application to a regional access partner in accordance with the policies and procedures developed by the division. The regional access partner is required to award grants and ensure that:</p> <ul style="list-style-type: none"> • The maximum grant award does not exceed \$100,000; and • A grant award does not exceed 30% of the recipient's annual operating budget. <p>The general assembly is required to appropriate \$35 million from the economic recovery and relief cash fund to the division for the purposes of the grant program. The regional access partners are required to award the grants for the purposes of the grant program on or before December 30, 2024. The bill specifies that the division and any person that receives money from the division, including a regional access partner, shall comply with the compliance, reporting, record-keeping, and program evaluation requirements established in current law by the office of state planning and budgeting and the state controller.</p>
Status	Introduced In House - Assigned to Transportation & Local Government
Position	Pending

<u>SB22-153, Internal Election Security Measures</u>			
H-Spon	S. Lontine	S-Spon	K. Priola & S. Fenberg
Summary	<p>The bill increases election security measures for the secretary of state's office, election officials, candidates for elected office, and voters.</p> <p>Current law authorizes the attorney general and the secretary of state (secretary) to enforce the provisions of the election code by injunctive action brought in the district court for the judicial district in which any violation occurs. Section 4 of the bill requires the district court and the supreme court, if applicable, to expedite scheduling and the issuance of any orders in connection with an enforcement action so a final ruling is made within specified periods. Section 5 authorizes a coordinated election official or the secretary's office to file a petition in district court alleging that a person charged with a duty under the election code has committed or is about to commit a breach or neglect of duty or other wrongful act.</p> <p>Current law specifies that certain employees in the clerk and recorder's office are required to complete a certification program for election officials provided by the secretary (certification program). Section 6 includes a designated election official for a county, a coordinated election official for a county, and employees in the election division of the department of state (department), at the discretion of the secretary, as people required to complete the certification</p>		

program. Section 6 also specifies new requirements for the length of time that an employee, designated election official, or coordinated election official has to complete the certification program.

The curriculum for the certification program is required to include specified courses. Section 7 requires that courses in voter registration and list maintenance, accessibility, coordinated elections, mail ballot and in-person voting processes, voting systems testing, risk-limiting audits, canvass, and election security be included in the certification program curriculum. Section 8 specifies the circumstances under which a person is ineligible to serve as a designated election official for a county or a coordinated election official.

Certain elected officials or candidates for elective office are currently prohibited from preparing, maintaining, or repairing any voting equipment or device that is to be used in an election. Section 9 modifies the prohibition to apply to any contact with the voting equipment or device, rather than just physical contact. Section 9 also prohibits any elected official or candidate for elective office in a political subdivision with a population of 100,000 or more from having access to or being present in a room with voting equipment or devices without being accompanied by one or more persons with authorized access.

The governing body of any political subdivision is currently authorized to adopt an electronic or electromechanical voting system. Section 10 requires that for elections conducted under the "Uniform Election Code of 1992", the governing body of any political subdivision is required to adopt an electronic or electromechanical voting system to be used for tabulating votes at all elections held by the political subdivision. This requirement does not apply to counties with fewer than 1,000 active electors at the date of the last general election. Section 11 prohibits a county from creating, permitting any person to create, or disclosing to any person an image of the hard drive of any voting system component without the express written permission of the department.

By a specified date, section 12 requires a designated election official to keep all components of a voting system in a location where entry is controlled by use of a key card access system and that is under video security surveillance recording. The designated election official is required to ensure that records in connection with access to the location of the voting system and video recordings of the location are created and maintained for specified periods. Section 3 defines terms in connection with these requirements. Section 12 also directs the general assembly to make an appropriation from the general fund to the department of state for the 2022-23 state fiscal year to be used to administer a grant program to provide assistance to counties in complying with the security requirements of the bill. Section 13 states that if a majority of a canvass board in a county is unable to or does not certify the abstract of votes for any reason by the applicable deadline, the secretary is required to review the noncertified abstract of votes and other evidence provided by the canvass board. If, after review, the secretary determines that the noncertified abstract of votes is sufficiently explicit in showing how many votes were cast for each candidate, ballot question, or ballot issue, the secretary is required to certify the results for the county and proceed to certifying state results.

Current law requires a person to comply with certain rules of the secretary when carrying out the duties of the secretary. Section 14 specifies that a person is also required to comply with other policies of the secretary, including the acceptable use policy for the statewide voter registration system, when carrying out such duties. Section 14 also specifies that any person who willfully interferes with a person in notifying or obstructs a person from notifying the department of a potential violation or retaliates against a person for providing such notice is subject to current penalties for election offenses.

	Current law prohibits a person from tampering with electronic voting equipment with the intent to change the tabulation of votes in an election. In addition, section 15 prohibits a person from accessing electronic voting equipment or an election-night reporting system without authorization and specifies that a person who accesses such equipment or system is guilty of a class 5 felony. Section 15 also specifies that an authorized person who knowingly publishes or causes to be published passwords or other confidential information relating to a voting system will immediately have their authorized access revoked and is guilty of a class 5 felony.
Status	Senate Third Reading Passed - No Amendments
Position	Pending

<u>SB22-178, Licensees Ability to Change Marijuana Designation</u>			
H-Spon	K. Van Winkle & A. Valdez	S-Spon	J. Gonzales
Summary	The bill allows a medical marijuana cultivation facility licensee to transfer medical marijuana to a retail marijuana cultivation facility licensee and the retail marijuana cultivation facility licensee to receive the marijuana and change the designation of the marijuana from medical to retail. The bill clarifies that the retail marijuana cultivation facility licensee is required to pay any retail marijuana excise tax.		
Status	Introduced In Senate - Assigned to Finance		
Position	Pending		

Bills on the Horizon

- Public Employer Collective Bargaining ([view materials here](#))
- Colorado Open Records Act (CORA)
- Workplace harassment protections (POWR Act)

Past Legislation for Reference

<u>HB22-1037, Retail & Medical Marijuana Same Location</u>			
H-Spon	K. Van Winkle & E. Hooton	S-Spon	C. Holbert & S. Jaquez Lewis
Summary	The bill allows a person to operate a licensed medical marijuana business and a licensed retail marijuana business at the same location if permitted by the local licensing authority and the local jurisdiction where the businesses are located and subject to requirements regarding separation of operations.		
Status	Awaiting Governor's Signature		
Position	Support		

<u>HB22-1045, Statutory Initiative Petition Signature Requirements</u>			
H-Spon	R. Holtorf	S-Spon	J. Sonnenberg
Summary	The Colorado constitution currently requires any petition for a citizen-initiated constitutional amendment to be signed by at least 2% of the registered electors who reside in each state senate district for the change to be placed on the ballot. If a constitutional amendment that extends this		

	requirement to a citizen-initiated statutory change is approved by the voters of the state at the 2022 general election, the bill makes a conforming statutory change to extend the requirement.
Status	Postpone Indefinitely
Position	Support

HCR22-1001, Statutory Initiative Petition Signature Requirements

H-Spon	R. Holtorf	S-Spon	J. Sonnenberg
Summary	The Colorado constitution currently requires any petition for a citizen-initiated constitutional amendment to be signed by at least 2% of the registered electors who reside in each state senate district for the change to be placed on the ballot. If approved by the voters at the November 2022 general election, the concurrent resolution would extend this requirement to a citizen-initiated statutory change.		
Status	Postpone Indefinitely		
Position	Support		

HB22-1097, Dissolution of Special Districts

H-Spon	D. Valdez	S-Spon	C. Simpson
Summary	<p>Under current law, municipalities and regional service authorities are authorized to file an application for dissolution of a special district with the board of directors of the special district. The bill expands current law to authorize a board of county commissioners to file with the special district's board of directors an application for dissolution of the special district if the special district is wholly located in the boundaries of the county and to file jointly with another board of county commissioners a petition for dissolution of a special district located in 2 or more counties.</p> <p>The bill also expands current law to allow a board of county commissioners and a special district that is wholly within the county's boundaries and that has no financial obligations or outstanding debt to mutually consent to dissolution of the special district via a court order dissolving the special district without an election. Additionally, if more than 85% of the special district lies within one or more municipalities, the governing bodies of all such municipalities also must consent to dissolution via court order without an election.</p>		
Status	Governor Signed		
Position	Support (CCI Priority Legislation)		

HB22-1111, Insurance Coverage For Loss Declared Fire Disaster

H-Spon	J. Amabile	S-Spon	B. Rankin
Summary	<p>The bill establishes new coverage requirements for homeowners insurance policies issued or renewed in Colorado, which requirements apply in the event of a loss of a residence as a result of a declared fire disaster.</p> <p>The bill also establishes new requirements for insurers who issue or renew homeowners insurance policies, which requirements concern an insurer's handling of policy claims after such a loss occurs.</p>		
Status	Introduced In Senate - Assigned to Business, Labor, & Technology		
Position	No Position		

HB22-1135, Marijuana Transporter License Transfers			
H-Spon	M. Snyder & Van Winkle	S-Spon	
Summary	Under current law, a marijuana transporter license cannot be transferred with a change of ownership. The bill removes this prohibition.		
Status	Governor Signed		
Position	No Position		

HB22-1142, Alcohol Beverages Extended Service Hours Permit			
H-Spon	M. Snyder	S-Spon	
Summary	<p>Current law restricts the sale of malt, vinous, or spirituous liquors to between the hours of 7:00 a.m. and 2:00 a.m. and restricts the sale of fermented malt beverages to between the hours of 8:00 a.m. and 12 midnight.</p> <p>The bill creates an extended service hours permit to authorize certain liquor licensees that are authorized to sell alcohol beverages for consumption on the licensed premises to sell alcohol beverages outside of these specified hours. A licensee must obtain a permit from both the state and local licensing authorities before operating during extended hours.</p>		
Status	Postponed Indefinitely		
Position	Oppose		

HB22-1152, Prohibit Employer Adverse Action Marijuana Use			
H-Spon	E. Hooton & B. Titone	S-Spon	
Summary	<p>As introduced, the bill prohibits an employer from taking adverse action against an employee, including an applicant for employment, who engages in the use of:</p> <ul style="list-style-type: none"> • Medical marijuana on the premises of the employer during working hours; or • Retail or medical marijuana off the premises of the employer during nonworking hours. <p>An employer is permitted to impose restrictions on employee use of medical or retail marijuana under specified circumstances.</p> <p>A strike-below amendment is expected that will turn the bill into a task force study.</p>		
Status	Postponed Indefinitely		
Position	Oppose		

SB22-065, Modification to County Coroners' Salaries			
H-Spon		S-Spon	T. Story & D. Hisey
Summary	As amended, the bill increases the salary of newly elected or reelected category II county coroners to match the salary of category II county treasurers, unless the board of county commissioners decides the increase is not warranted. The bill allows category III and category IV county coroners to work full-time if full-time work is agreed upon with the county commissioners. For a category III or category IV county that has a full-time county coroner, the bill increases the salary of a newly elected or reelected county coroner to match the salary of the county treasurer.		
Status	Governor Signed		
Position	<p>Support</p> <p>CCI sought an amendment to the bill to require commissioner approval of a salary increase for coroners in Category 2 counties, as commissioners are the fiduciaries of the county and have budgetary authority for all county elected offices. An amendment was put on the bill that permits Category 2 counties to opt-out of the salary increase.</p>		

<u>SB22-075, Removal of Cemetery District Directors</u>			
H-Spon	M. Catlin	S-Spon	C. Simpson
Summary	The bill allows a board of county commissioners, which appoints directors to a board of directors for a cemetery district, to remove any director from such a board for cause after giving the director notice and an opportunity to be heard.		
Status	Governor Signed		
Position	Support (CCI Priority Legislation)		

<u>SB22-104, Tribal Governments Included in State Programs</u>			
H-Spon	B. McLachlan	S-Spon	K. Donovan & C. Simpson
Summary	<p>The bill requires new and amended state statutes that enumerate or define local government entities or agencies that are eligible for state grant or benefit programs to also designate tribal nations with jurisdiction in Colorado as eligible recipients if possible. The legislative council staff is required to submit a report to the legislative council by December 1, 2022, identifying state grant programs in statute and whether those programs include tribal governments as eligible recipients.</p> <p>The office of the Colorado commission on Indian affairs is required, in consultation with the Ute Mountain Ute Tribe and the Southern Ute Indian Tribe, to submit a report to the legislative council identifying opportunities for tribal governments to be included in the operations or programs of the state as a partner, assessing whether the Colorado commission on Indian affairs can facilitate or provide those opportunities, and recommending other ways for the state to facilitate or provide those opportunities.</p>		
Status	Introduced in House – Assigned to House State Affairs Committee		
Position	No position		

<u>SB22-120, Regulation of Kratom Processors</u>			
H-Spon	T. Sullivan	S-Spon	D. Coram & J. Ginal
Summary	<p>Effective July of 2023, the bill requires that, prior to selling or offering for sale any kratom product, each kratom processor must register with the department of revenue (department) and disclose certain information regarding each of the kratom processor's kratom products.</p> <p>The bill also:</p> <ul style="list-style-type: none"> • Establishes the minimum requirements for kratom products; • Prohibits the sale of kratom products to individuals under 21 years of age; • Requires a kratom processor to notify the department within 7 days after being notified that an adverse effect report was made with the federal food and drug administration regarding any of the kratom processor's kratom products; • Authorizes the department to investigate adverse effect reports to determine whether a kratom processor has violated any of the standards specified in the bill; and • Preserves local government authority to enact stricter ordinances. <p>The executive director of the department is required to adopt rules to administer and enforce the bill.</p>		
Status	Senate Third Reading Passed - No Amendments		
Position	<p>Amend</p> <p>CCI secured amendments to address commissioners' concerns, including: limiting the sale to those 21 or older and preserving local government authority to enact more strict ordinances or resolutions.</p>		

<u>SB22-149, Improve Marijuana Industry Regulation</u>			
H-Spon	J. Amabile & M. Lynch	S-Spon	K. Priola & C. Hansen
Summary	<p>The bill requires future contracts for the seed-to-sale tracking system to be awarded pursuant to a transparent, online, and dynamically competitive process. The bill requires the state licensing authority to produce an annual report regarding its enforcement activities. The report must include:</p> <ul style="list-style-type: none"> • The number of underage compliance checks performed in the previous calendar year; • The number of underage sale violations in the previous calendar year, including the name of the license violator, how many violations were the result of underage compliance checks or tips, and the sanction or sanctions imposed for each violation; and • A description of the black or gray market enforcement activities that the state licensing authority engaged in, including the dates of the activities, any violations found, and the result of those violations if known. <p>The bill requires the state licensing authority to produce an annual report regarding licensing violations. The report must be organized by month, include the name of the violator and the violation location, and identify the violation and the sanction or sanctions imposed and if the sanction is a license revocation or voluntary surrender of a license and the reason for the revocation or voluntary surrender.</p> <p>The state licensing authority shall maintain a free searchable database on its website related to compliance check records and minor in possession of marijuana records and an online method for submitting an anonymous tip related to licensing violations.</p> <p>The bill requires the state licensing authority to conduct at least 2 compliance checks a year at each medical and retail marijuana center.</p> <p>The bill requires regulatory penalties related to underage sales to be based on the number of violations and any injury or death that occurred as a result of the violation.</p> <p>The bill requires the state licensing authority to promulgate rules regarding:</p> <ul style="list-style-type: none"> • Product recalls, including a requirement for the issuance of a health and safety advisory when a product is recalled that includes the name of the product, the timing of when the consumer would receive the advisory, the places where the product was sold, the time period when the product was for sale, the requested actions that the state licensing authority may direct to a seller, cultivator, or manufacturer, and any other additional information that would assist the public; and • Timelines and deadlines for notifying a licensee of an alleged violation; a licensee's response to an alleged violation; and a licensee's compliance with any sanction imposed, which must require, in the case of an uncontested violation, that the licensee has 90 days to comply with the sanction. <p>The bill directs that when the state licensing authority convenes a work group, task force, or other group to assist in developing rules or policies that involve public health and consumer safety, the state licensing authority shall make every reasonable attempt to have broad representation from non-marijuana industry parties on the work group, task force, or other group. The bill requires the state licensing authority to provide any written materials received from a member of the group or task force to all members of the group or task force within 7 days after receipt of the material; except that any proprietary information must be redacted from the material.</p>		

	The bill requires that when the state licensing authority reports a voluntary surrender of a license that is the result of a settlement or agreement with the licensing authority, the report shall designate the action as "voluntary surrender - licensing violation settlement".
Status	Postponed Indefinitely
Position	Monitor

Adjourn