

**Colorado Legislative Report
Second Regular Session
Seventy-second General Assembly**

March 8, 2021

Bill: HB21-1025	
Title:	Nonsubstantive Emails and Open Meetings Law
Description	Concerning a clarification under the Colorado open meetings law of the requirements governing communication by electronic mail that does not relate to the substance of public business.
Summary	<p>Under current provisions of the Open Meetings Law (OML), if elected officials use electronic mail to discuss pending legislation or other public business among themselves, the electronic mail constitutes a meeting that is subject to the OML's requirements.</p> <p>The bill substitutes the word exchange for the word use in describing the type of electronic mail communication that triggers the application of the OML.</p> <p>The bill also clarifies existing statutory provisions to specify that electronic mail communication between elected officials that does not relate to the merits or substance of pending legislation or other public business is not a meeting for OML purposes.</p> <p>Under the bill, the type of electronic communication that also does not constitute a meeting for OML purposes includes electronic communication regarding scheduling and availability as well as electronic communication that is sent by an elected official for the purpose of forwarding information, responding to an inquiry from an individual who is not a member of the state or local public body, or posing a question for later discussion by the public body.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/18/2021)
House Committee	State, Civic, Military and Veterans Affairs
Senate Committee	State, Veterans and Military Affairs

Sponsors (House and Senate)	Senate: J. Ginal (D) House: J. Arndt (D)
Status	Introduced In Senate - Assigned to State, Veterans, & Military Affairs (03/04/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: HB21-1043	
Title:	Study Underground Water Storage Maximum Beneficial Use
Description	Concerning a study of underground water storage to maximize the beneficial use of water within Colorado.
Summary	<p>The bill directs the Colorado water conservation board (board), in consultation with the state engineer, to contract with a Colorado institution of higher education (institution) to conduct a study to:</p> <ul style="list-style-type: none"> • Evaluate ways to maximize the beneficial use of water within Colorado and implement the storage recommendations of the Colorado water plan by storing water underground when water is available; • Evaluate ways to minimize the amount of water that flows out of Colorado to downstream states, without risking noncompliance with applicable interstate compacts, United States supreme court rulings, other federal law, decreed absolute and conditional water rights, the prior appropriation system, and Colorado's anti-speculation doctrine; • Identify: <ul style="list-style-type: none"> • Specific aquifers that are hydrologically and legally available to be used for underground storage and subsequent beneficial use; • Sources of revenue that could be used to pay for the underground storage projects; and • Planned potential or existing underground storage projects that would meet the objectives identified in the study; • Examine the role that various water entities might play in financing and implementing underground storage projects; and • Recommend legislative changes needed to implement managed underground storage projects in the identified aquifers.

	<p>The bill directs the board or the institution to submit a report summarizing the results of the study to the water resources review committee by August 1, 2022, which shall either have legislation drafted</p> <p>to implement the study's recommendations or submit the study along with its own recommendations to the committees of the general assembly with jurisdiction over water resources by January 1, 2023.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/03/2021)
House Committee	Agriculture, Livestock, and Water
Senate Committee	
Sponsors (House and Senate)	Senate: J. Sonnenberg (R) House: R. Holtorf (R)
Status	House Committee on Agriculture, Livestock, & Water Refer Amended to Finance (03/01/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: HB21-1050	
Title:	Workers' Compensation
Description	Concerning the "Workers' Compensation Act of Colorado", and, in connection therewith, making changes that affect the timely payment of benefits, guardian ad litem and conservator services, benefit offsets related to the receipt of federal disability or retirement benefits, the reduction of benefits based on apportionment, the selection of independent medical examiners, limits on temporary disability and permanent partial disability payments, the withdrawal of admissions of liability, mileage expense reimbursement, the authority of prehearing administrative law judges, the reopening of permanent total disability awards, and petitions for review and appeals of orders.
Summary	The bill: <ul style="list-style-type: none"> • Adds guardian ad litem and conservator services to the list of medical aid that an employer is required to furnish to an

employee who is incapacitated as a result of a work-related injury or occupational disease (**section 1** of the bill);

- Requires an injured worker who is claiming mileage reimbursement for travel related to obtaining compensable medical care to submit a request to the employer or insurer within 120 days after the expense is incurred, and requires the employer or insurer to pay or dispute mileage within 30 days after submittal and to include in the brochure of claimants' rights an explanation of rights to mileage reimbursement and the deadline for filing a request (**sections 1 and 7**);

- Clarifies that offsets to disability benefits granted by the federal Old-Age, Survivors, and Disability Insurance Amendments of 1965 only apply if the payments were not already being received by the employee at the time of the work-related injury (**section 2**);

- Prohibits the reduction of an employee's temporary total disability, temporary partial disability, or medical benefits based on apportionment under any circumstances; limits apportionment of permanent impairment to specific situations; and declares that the employer or insurer bears the burden of proof, by a preponderance of the evidence, at a hearing regarding apportionment of permanent impairment or permanent total disability benefits (**section 3**);

- Adds the following conditions that must be met for an employer or insurer to request the selection of an independent medical examiner when an authorized treating physician has not determined that the employee has reached maximum medical improvement (MMI): An examining physician must have examined the employee at least 20 months after the date of the injury, have determined that the employee has reached MMI, and have served a written report to the authorized treating physician specifying that the examining physician has determined that the employee has reached MMI; and the authorized treating physician must have responded that the employee has not reached MMI or must have failed to respond within 15 days after service of the report (**section 4**);

- Changes the whole person impairment rating applicable to an injured worker from 25% to 19% for purposes of determining the maximum amount of combined temporary disability and permanent partial disability payments an

	<p>injured worker may receive (section 5);</p> <ul style="list-style-type: none"> • Clarifies when benefits and penalties payable to an injured worker are deemed paid (section 6); • Prohibits an employer or insurer from withdrawing an admission of liability when 2 years or more have passed since the date the admission of liability on the issue of compensability was filed, except in cases of fraud (section 7); • Prohibits the director of the division of workers' compensation or an administrative law judge from determining issues of compensability or liability unless specific benefits or penalties are awarded or denied at the same time (section 8); • Clarifies the scope of authority of prehearing administrative law judges (section 9); • Increases the threshold amount that an injured worker must earn in order for permanent total disability payments to cease and allows for annual adjustment of the threshold amount starting in 2022 (section 11); and • Clarifies the orders that are subject to review or appeal (sections 10 and 12).
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/16/2021)
House Committee	Business Affairs and Labor
Senate Committee	
Sponsors (House and Senate)	Senate: J. Cooke (R) J. Bridges (D) House: K. Van Winkle (R) M. Gray (D)
Status	House Committee on Business Affairs & Labor Refer Amended to Appropriations (02/24/2021)

Lobbyists	<u>Lobbyists</u>
Votes	<u>Votes all Legislators</u>
Hearing Date	

Bill: <u>HB21-1052</u>	
Title:	Define Pumped Hydroelectricity as Renewable Energy
Description	Concerning the inclusion of pumped hydroelectric energy generation in the definition of "eligible energy resources" for purposes of meeting Colorado's renewable energy standard.
Summary	The bill removes the existing restriction on pumped hydroelectric facilities as a source of recycled energy, which is included in the definition of an eligible energy resource under the renewable energy standard statute.
Comment	
Position	Monitor
Full Text	<u>Full Text of Bill</u>
Fiscal Notes	<u>Fiscal Notes (02/18/2021)</u>
House Committee	Energy and Environment
Senate Committee	
Sponsors (House and Senate)	Senate: House: <u>H. McKean (R)</u>
Status	House Committee on Energy & Environment Witness Testimony and/or Committee Discussion Only (02/24/2021)
Lobbyists	<u>Lobbyists</u>
Votes	<u>Votes all Legislators</u>
Hearing Date	03/10/2021

Bill: <u>HB21-1056</u>	
Title:	Cost Thresholds for Public Project Bidding Requirements
Description	Concerning public projects supervised by the department of transportation that are subject to the "Construction Bidding for Public Projects Act".
Summary	Under current law, the requirements of the Construction Bidding for Public Projects Act (act) generally apply to a public project if the

	<p>cost of the project is reasonably expected to exceed \$500,000 for any fiscal year; except that a public project supervised by the department of transportation (CDOT) is subject to the requirements of the act if the cost of the project is reasonably expected to exceed \$150,000 for any fiscal year.</p> <p>The bill:</p> <ul style="list-style-type: none"> • Repeals the lower cost amount for CDOT projects, which means that the requirements of the act, including the requirement that CDOT prepare a bid estimate when it proposes to undertake a project itself rather than awarding the project to a contractor through competitive bidding, will apply to a CDOT project only if the cost of the project is reasonably expected to exceed \$500,000 for any fiscal year; and • Increases from \$50,000 to \$100,000 the maximum cost for a CDOT project that is exempt from transportation commission approval. <p>The bill also limits the existing requirement that CDOT pay all employees performing work on any public project local prevailing wages in accordance with specified federal acts to projects that cost more than \$500,000.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/18/2021)
House Committee	Transportation and Local Government
Senate Committee	
Sponsors (House and Senate)	Senate: C. Hansen (D) House: R. Pelton (R)
Status	Introduced In House - Assigned to Transportation & Local Government + Business Affairs & Labor (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/16/2021

Bill: [HB21-1061](#)

Title:	Residential Land Property Tax Classification
Description	Concerning the definition of residential land for the purpose of property tax classification.
Summary	<p>The bill modifies the definition of the term residential land for the purpose of property tax classification. Currently, a parcel of land without a residential improvement is classified as residential land if it is contiguous with a parcel of land under common ownership upon which a residential improvement is located and if it is used as a unit in conjunction with the residential improvements located thereon.</p> <p>The bill modifies classification for this type of parcel by:</p> <ul style="list-style-type: none"> • Requiring the parcel to have the identical owner as the adjacent parcel based on the record title; • Requiring the parcel to have a related improvement that is essential to the use of a residential improvement located on the identically owned contiguous residential land; and • Specifying that contiguity in this instance is not interrupted by an intervening local service street, alley, or common element in a common-interest community. <p>The bill also removes from the definition parcels of land in a residential subdivision, the exclusive use of which land is established by the ownership of such residential improvements.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/16/2021)
House Committee	Transportation and Local Government
Senate Committee	
Sponsors (House and Senate)	Senate: C. Hansen (D) House: M. Gray (D)
Status	House Third Reading Passed - No Amendments (03/05/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: [HB21-1071](#)

Title:	Ranked Choice Voting In Nonpartisan Elections
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Description	Concerning the use of ranked choice voting in nonpartisan elections.
Summary	<p>Beginning in 2023, the bill allows a municipality to refer a municipal election using instant runoff voting to be conducted as part of a coordinated election. The secretary of state is required to promulgate rules establishing the minimum system requirements and specifications for a voting system to be used in an election using instant runoff voting by March 31, 2022. After March 31, 2022, a system that has been tested and satisfies the standards promulgated by the secretary of state may be submitted for certification for use in an election using instant runoff voting. If the secretary of state certifies a system, the secretary is required to negotiate and purchase, if possible, a single annual statewide license with the provider to allow each county that uses the voting system to conduct elections using instant runoff voting.</p> <p>On and after January 1, 2023, a statutory city or town or home rule municipality that has taken formal action to conduct an election using instant runoff voting may refer the election to be conducted as part of a coordinated election by providing written notice to the county clerk and recorder. If the county uses a voting system that is certified for use in an election using instant runoff voting, the county clerk and recorder must conduct the election as part of the coordinated election. The municipality referring the election is responsible for any reasonable additional costs the county incurs as a result of conducting an instant runoff voting election.</p> <p>If the referring municipality is located in more than one county, the counties are required to conduct the election using instant runoff voting only if each county receives timely notice, each county uses a voting system certified for such use, and the data from all the counties' voting systems can be tabulated together in accordance with rules promulgated</p> <p>by the secretary of state for conducting instant runoff elections across multiple counties. The counties and the municipality are required to enter into an agreement for the conduct of the election, which must specify the procedures for the county canvass boards to canvass the election.</p> <p>For any instant runoff voting election conducted as part of a coordinated election, the secretary of state is the designated election official responsible for tabulating and reporting the results. The secretary of state is required, by December 31, 2022, to promulgate rules related to instant runoff voting elections including the procedures for conducting logic and accuracy tests and risk limiting audits, and for the tabulation, reporting, and canvassing of results.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/08/2021)

House Committee	State, Civic, Military and Veterans Affairs
Senate Committee	
Sponsors (House and Senate)	Senate: F. Winter (D) S. Fenberg (D) House: J. Arndt (D) C. Kennedy (D)
Status	House Committee on State, Civic, Military, & Veterans Affairs Refer Amended to Finance (02/22/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/11/2021

Bill: HB21-1077	
Title:	Legislative Oversight Committee Concerning Tax Policy
Description	Concerning the creation of the legislative oversight committee concerning tax policy.
Summary	<p>The bill creates the legislative oversight committee concerning tax policy (committee) and the associated task force (task force). The committee is required to review the policy considerations contained in the tax expenditure evaluations prepared by the state auditor</p> <p>and is responsible for the oversight of the task force. The committee may recommend legislative changes that are treated as bills recommended by an interim legislative committee.</p> <p>The task force is required to study tax policy and develop and propose for committee consideration any modifications to the current system of state and local taxation.</p> <p>The task force is also authorized, upon request by a committee member, to provide evidence-based feedback on the potential benefits or consequences of a legislative or other policy proposal not directly affiliated with or generated by the task force, including any bill or resolution introduced by the general assembly that affects tax policy.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill

Fiscal Notes	Fiscal Notes (02/24/2021)
House Committee	Finance
Senate Committee	
Sponsors (House and Senate)	Senate: House: A. Benavidez (D)
Status	Introduced In House - Assigned to Finance (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/08/2021

Bill: HB21-1095	
Title:	811 Locate Exemption For County Road Maintenance
Description	Concerning excavation notification requirements for underground facility location in connection with county road maintenance, and, in connection therewith, specifying that excavation does not include routine or emergency maintenance of right-of-way on county-owned gravel or dirt roads that does not lower the existing grade or elevation of the road, shoulder, and ditches and that does not disturb more than six inches in depth during maintenance operations.
Summary	<p>Current law requires an individual or entity to notify the statewide notification association of all owners and operators of underground facilities of its intent to engage in excavation so that any underground facilities that the excavation might affect, such as water and sewer pipes, gas lines, and electric or cable lines, can be located and marked before excavation begins. Underground facilities are often located beneath county gravel and dirt roads, normally at a depth of at least 18 inches below the road surface. Counties maintain the profile and surface condition of such county roads and county road rights-of-way by engaging in routine and emergency maintenance activities that do not disturb more than 6 inches in depth. These maintenance activities currently trigger the excavation notification requirement, and the related requirement that the location of underground facilities be marked, even though they occur above the levels where underground facilities are located.</p> <p>To prevent such activities from triggering the excavation notification requirement, the bill specifies that excavation does not include routine or emergency maintenance of right-of-way on county-owned gravel or dirt roads performed by county employees that:</p> <ul style="list-style-type: none"> • Does not lower the existing grade or elevation of the road, shoulder, and ditches; and

	<ul style="list-style-type: none"> • Does not disturb more than 6 inches in depth during maintenance operations.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/05/2021)
House Committee	Transportation and Local Government
Senate Committee	
Sponsors (House and Senate)	Senate: J. Ginal (D) R. Woodward (R) House: M. Baisley (R) C. Kipp (D)
Status	Introduced In House - Assigned to Transportation & Local Government (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/10/2021

Bill: HB21-1100	
Title:	Electronic Filing Of Documents With Governmental Entities
Description	Concerning the ability to file documents electronically with governmental entities.
Summary	<p>The bill requires a governmental entity to establish an electronic filing option by January 1, 2022, for each document required or allowed to be filed with the governmental entity.</p> <p>A governmental entity includes each principal department of the state and each county, and any agency, department, board, or division thereof.</p> <p>The electronic filing option may include accepting a scanned copy of the original document by email or through a secure file transfer system.</p> <p>The electronic filing option must comply with existing requirements for a governmental entity to have reasonable security practices in place if the</p> <p>governmental entity receives or maintains personal identifying information.</p>

	The governmental entity is not authorized to require a filing to be made only by electronic filing if the department does not have authority under other law to require electronic filing.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	Finance
Senate Committee	
Sponsors (House and Senate)	Senate: J. Bridges (D) House: M. Soper (R)
Status	Introduced In House - Assigned to Finance (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/18/2021

Bill: HB21-1105	
Title:	Low-income Utility Payment Assistance Contributions
Description	Concerning utility customers' financial contributions for low-income utility assistance.
Summary	<p>Section 1 of the bill removes the low-income energy assistance program administered by Energy Outreach Colorado (EOC) from the grant program reserve funded by tier 2 severance tax operational fund money.</p> <p>Section 2 clarifies that the definition of a low-income utility customer, with regard to the public utilities commission's (PUC) consideration of a preference or advantage that a gas or electric utility grants a low-income utility customer, means a utility customer who meets the Colorado department of human services' income eligibility criteria.</p> <p>Sections 3 and 4 make modifications to the legislative commission on low-income energy assistance, wherein section 3 expands the</p>

	<p>commission's scope to include water utility assistance and section 4 reduces the composition of the commission from 11 members to 7 members. Section 4 also requires the commission to:</p> <ul style="list-style-type: none"> • Advise the Colorado energy office (office) on grants awarded from the federal department of energy regarding the office's weatherization assistance program; • Advise water utilities that provide their customers with utility assistance and efficiency programs; and • Review EOC's annual budget that it submits to the PUC regarding the use of funding for utility bill payment assistance. <p>Sections 5, 6, and 8 to 10 concern the creation of an energy assistance system benefit charge, which is a mandatory monthly charge that investor-owned electric and gas utilities are required to collect from their customers. The initial amount of the charge per customer is \$1 for electric service provided and \$1 for natural gas service provided, but the PUC may adopt rules to modify the amount of the charge, so long as the charge is at least \$1 per service provided. Investor-owned utilities are required to remit the charges collected to EOC to help finance the direct utility bill payment assistance and energy retrofit programs that EOC administers for low-income households.</p> <p>Sections 7 and 11 concern voluntary, opt-in charges that a water utility may offer its customers to help finance the water utility bill payment assistance program that EOC administers. Alternatively, a water utility may implement its own water utility bill payment assistance program.</p> <p>Section 12 requires EOC and the office, when installing energy retrofits for low-income households, to prioritize customer savings, emission reductions, and improving indoor air quality.</p> <p>Section 13 governs reporting requirements for EOC regarding the mandatory monthly energy assistance system benefit charge and voluntary, opt-in monthly water utility bill payment assistance collections.</p> <p>Sections 14 to 17 make conforming amendments.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/02/2021)
House Committee	Finance
Senate	

Committee	
Sponsors (House and Senate)	Senate: C. Hansen (D) House: C. Kennedy (D)
Status	Introduced In House - Assigned to Finance (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/08/2021

Bill: HB21-1111	
Title:	Consent Collection Personal Information
Description	Concerning the possession of certain personal information by governmental entities.
Summary	<p>The bill requires a governmental entity that maintains, owns, or licenses computerized data that includes certain personal information about any Colorado residents, or a governmental entity that uses a third-party service provider to maintain computerized data that includes certain personal information, to give notice to those Colorado residents every 90 days.</p> <p>The notice must give Colorado residents the option to either assent to the governmental entity possessing the Colorado resident's personal information or request that the governmental entity dispose of any paper or electronic documents containing the Colorado resident's personal identifying information.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	State, Civic, Military and Veterans Affairs
Senate Committee	
Sponsors (House and Senate)	Senate: House: H. McKean (R)
Status	Introduced In House - Assigned to State, Civic, Military, & Veterans Affairs + Finance (02/16/2021)

Lobbyists	<u>Lobbyists</u>
Votes	<u>Votes all Legislators</u>
Hearing Date	03/18/2021

Bill: <u>HB21-1168</u>	
Title:	Historically Underutilized Businesses Local Government Procurement
Description	Concerning historically underutilized businesses in local government procurement.
Summary	<p>The bill requires local governments, including school districts, with a procurement budget of a certain size to collect data regarding the participation of historically underutilized businesses in local government procurement for a 5-year period and requires the local government to annually report that data to the secretary of state.</p> <p>The bill requires the secretary of state to share summarized data with the department of local affairs.</p> <p>The bill further requires the department of local affairs to annually include the summarized data received from the secretary of state as part of the department's presentation to its committee of reference at a hearing held pursuant to the State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act.</p> <p>The bill defines a historically underutilized business as a business that is at least 51% owned and controlled, in both the management and day-to-day business decisions, by one or more individuals who are:</p> <ul style="list-style-type: none"> • Members of a racial or ethnic minority group; • Non-Hispanic Caucasian women; • Persons with physical or mental disabilities; • Members of the lesbian, gay, bisexual, and transgender community; or • Veterans.
Comment	
Position	Monitor
Full Text	<u>Full Text of Bill</u>
Fiscal Notes	
House Committee	Transportation and Local Government
Senate Committee	
Sponsors (House and Senate)	Senate: C. Kolker (D) House:

	N. Ricks (D) J. Bacon (D)
Status	Introduced In House - Assigned to Transportation & Local Government (03/04/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: HB21-HJR1002	
Title:	Water Projects Eligibility Lists
Description	Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.
Summary	CONCERNING APPROVAL OF WATER PROJECT REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	Agriculture, Livestock, and Water
Senate Committee	Agriculture and Natural Resources
Sponsors (House and Senate)	Senate: K. Donovan (D) House: J. Arndt (D)
Status	Senate Committee on Agriculture & Natural Resources Refer Unamended to Senate Committee of the Whole (03/04/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/09/2021

Bill: SB21-006	
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Title:	Human Remains Natural Reduction Soil
Description	Concerning the conversion of human remains to basic elements within a container using an accelerated process, and, in connection therewith, making an appropriation.
Summary	<p>The bill authorizes human remains to be converted to soil using a container that accelerates the process of biological decomposition, also known as natural reduction. The bill prohibits the following when done in the course of business:</p> <ul style="list-style-type: none"> • Selling or offering to sell the soil; • Commingling the soil of more than one person without the consent of the person or persons with the right of final disposition unless the soil is abandoned; • Commingling the human remains of more than one person without the consent of the person or persons with the right of final disposition within the container wherein natural reduction produces soil; or • Using the soil to grow food for human consumption. <p>Current law has various provisions that deal with burial, cremation, interment, and entombment. In connection with authorizing natural reduction, the bill replaces these terms with the phrase final disposition, which term is defined to include natural reduction. The following types of provisions are updated to reflect the option to use natural reduction:</p> <ul style="list-style-type: none"> • Life insurance statutes; • Preneed funeral insurance contracts; • The Mortuary Science Code; • Funeral picketing statutes; • Litigation damages; • The Colorado Probate Code; • The Disposition of Last Remains Act; • The Revised Uniform Anatomical Gift Act; • Missing person reports for unidentified human remains; • Public peace and order statutes; • Vital statistics statutes; • The Colorado Public Assistance Act; and • Firefighter pension plans. <p>Natural reduction is added to the statutes that regulate funeral establishments, and this addition will result in the regulation of the natural reduction process. But the definitions of cremation and mortuary science practitioner are amended so that a practitioner of natural reduction is not regulated as a cremationist or mortuary science practitioner.</p> <p>Current law has a provision that governs the disposal of abandoned cremated remains. The soil from natural reduction is added to this provision, with an option to return the soil to the earth in a respectful</p>

	manner.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/16/2021)
House Committee	
Senate Committee	Local Government
Sponsors (House and Senate)	Senate: R. Rodriguez (D) House: B. Titone (D) M. Soper (R)
Status	Senate Committee on Local Government Refer Unamended to Appropriations (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: SB21-034	
Title:	Water Resource Financing Enterprise
Description	Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a fee-based water resources financing program.
Summary	<p>The bill creates the water resources financing enterprise (enterprise). The board of the enterprise (board) consists of the board of directors of the Colorado water resources and power development authority and the board members of the Colorado water conservation board.</p> <p>The enterprise will provide financing to water providers, defined to include drinking water suppliers, wastewater treatment suppliers, and raw water suppliers. Raw water suppliers are limited to those that provide raw water for treatment and use as drinking water.</p> <p>Customers of a drinking water supplier will pay a fee to the supplier, who will transmit it to the enterprise to be used for the financing. The fee for each individual metered connection in a drinking</p> <p>water supplier's public water system is 25 cents per 1,000 gallons of</p>

	<p>drinking water delivered per month in excess of the first 4,000 gallons of drinking water delivered in that month to the individual metered connection. The board may adjust the fee based on inflation and equity concerns for large nonresidential customers and customers who pay tiered rates that start higher than 4,000 gallons per month.</p> <p>The enterprise can provide financing for grants, loans, and in-kind technical assistance in arranging third-party financing. In determining whether to provide financing, the board shall consider the following factors:</p> <ul style="list-style-type: none"> • A water provider's ability to pay, including whether the water provider has sought or received other financial assistance; • Whether a water provider has been found to be noncompliant with requirements, or is subject to increased requirements, related to the provision of raw water, drinking water, or wastewater treatment; • Whether the proposed use of financing relates to a project identified in and in furtherance of the state water plan; and • The geographic location and demographic characteristics of the water provider and its customers. <p>The enterprise shall provide, and a water provider may use, the financing only:</p> <ul style="list-style-type: none"> • In connection with the provision of raw water, drinking water, or wastewater treatment; and • For feasibility studies, consulting, planning, permitting, and construction of infrastructure and water conservation projects and related recreational, hydroelectric, and flood control facilities, including necessary enlargement and rehabilitation of facilities but excluding maintenance and operation of facilities.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/01/2021)
House Committee	
Senate Committee	Agriculture and Natural Resources
Sponsors (House and Senate)	Senate: D. Coram (R) House:
Status	Introduced In Senate - Assigned to Agriculture & Natural Resources (02/16/2021)
Lobbyists	Lobbyists

Votes	Votes all Legislators
Hearing Date	03/11/2021

Bill: SB21-064	
Title:	Retaliation Against an Elected Official
Description	Concerning criminalizing retaliation against an elected official.
Summary	Under current law, there is a crime of retaliation against a judge if an individual makes a credible threat or commits an act of harassment or an act of harm or injury upon a person or property as retaliation or retribution against a judge. The crime is a class 4 felony. The bill adds elected officials and their families to the crime.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (02/19/2021)
House Committee	
Senate Committee	Judiciary
Sponsors (House and Senate)	Senate: L. Garcia (D) J. Cooke (R) House: K. Mullica (D)
Status	Introduced In Senate - Assigned to Judiciary + Appropriations (02/16/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/18/2021

Bill: SB21-130	
Title:	Local Authority for Business Personal Property Tax Exemption
Description	Concerning authorization for local governments to exempt business personal property from taxation.
Summary	The bill allows counties, municipalities, and special districts to exempt up to 100% of business personal property from the levy and

	collection of property taxation for the 2021 property tax year.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	Fiscal Notes (03/03/2021)
House Committee	
Senate Committee	State, Veterans and Military Affairs
Sponsors (House and Senate)	Senate: C. Holbert (R) House: K. Van Winkle (R)
Status	Introduced In Senate - Assigned to State, Veterans, & Military Affairs (02/25/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/09/2021

Bill: SB21-136	
Title:	Sunset Forest Health Advisory Council
Description	Concerning the continuation of the forest health advisory council, and, in connection therewith, implementing the recommendation contained in the 2020 sunset report by the department of regulatory agencies to continue the advisory council and continuing it for five years.
Summary	Sunset Process - Senate Agriculture and Natural Resources Committee. The bill implements the recommendation of the department of regulatory agencies' sunset review and report to continue the forest health advisory council and continues it 5 years until 2026.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	
Senate	Agriculture and Natural Resources

Committee	
Sponsors (House and Senate)	Senate: D. Coram (R) J. Ginal (D) House:
Status	Introduced In Senate - Assigned to Agriculture & Natural Resources (03/01/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	03/11/2021

Bill: SB21-160	
Title:	Modification to Local Government Election Codes
Description	Concerning certain administrative clarifications to local government election codes.
Summary	<p>The bill makes the following changes to the local government and special district election codes:</p> <ul style="list-style-type: none"> • Revises statutory citations to clarify that the Colorado local government election code is the portion of the election code applicable to special district elections; • Provides additional statutory citations to specify all instances in which a county assessor provides a list of property owners for an election; • Clarifies that, when computing time for any designated period of days for a local government election, the first day from which the period of days runs is excluded and the last day from which the period of days runs is included; • Specifies that the candidate self-nomination form for special district elections must contain the county where the special district is located; • Clarifies that a candidate's and witness's respective addresses and telephone numbers and a candidate's current e-mail address need to be provided but do not need to be printed by the candidate and witness on the self-nomination form for special district elections; • Specifies that an eligible elector of a local government who is a covered voter must reside within the boundaries of the local government to receive a mail ballot; • Clarifies that local government ballots may be automatically sent to eligible electors who are qualified under contracts to purchase taxable property; and • Eliminates provisions governing a self-affirming oath or affirmation of an elector in the statutes governing special <p>districts that are covered by similar provisions in the election code.</p>

	The board of directors of a special district currently consists of 5 or 7 directors elected at large. The bill provides a process for dividing a special district into separate director districts and for members to be elected from each director district at large or by the electors within each director district.
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	
Senate Committee	State, Veterans and Military Affairs
Sponsors (House and Senate)	Senate: R. Gardner (R) House: M. Snyder (D)
Status	Introduced In Senate - Assigned to State, Veterans, & Military Affairs (03/02/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	

Bill: SB21-170	
Title:	Wildland Fire Mitigation Cooperative Electric Association
Description	Concerning standards applicable to cooperative electric association wildland fire mitigation, and, in connection therewith, requiring wildland fire protection plans, providing authority for vegetation management, and limiting cooperative electric association liability.
Summary	<p>The bill requires a cooperative electric association (association) to adopt a wildland fire protection plan. The plan must include information on:</p> <ul style="list-style-type: none"> • Areas where the association has powerline facilities that may have an increased risk of wildland fires; • The procedures and standards that the association will use <p>to inspect and operate its powerline facilities and perform vegetation management around those facilities;</p> <ul style="list-style-type: none"> • The modifications or upgrades that the association will implement to reduce risks of wildland fires;

- The procedures for de-energizing powerline facilities to mitigate potential wildland fires;
- Community outreach efforts during the wildland fire season; and
- The potential for coordination with other wildland fire protection plans.

An association must file its wildland fire protection plan with the public utilities commission every 3 years and must submit an annual report to the commission detailing its compliance with the plan.

The bill allows, but does not require, an association to remove or partially remove vegetation outside of a powerline facility easement as necessary following a major weather event or other emergency situation.

In addition, an association may designate vegetation as hazard vegetation if the association finds that the vegetation is dead, likely to fail, or likely to fall, sway, or grow into a powerline facility and finds that the vegetation is likely to cause substantial damage, disrupt service, or come within a minimum clearance distance of the powerline facility. An association may, but is not required to, remove or partially remove hazard vegetation outside of an easement after providing notice to the landowner.

The association is not required to provide notice if removal of the hazard vegetation is necessary to continue safe operation of its facilities or if the removal is done as part of trimming or removing vegetation after a storm or other emergency event.

If vegetation outside of a powerline facility easement dies as the result of being trimmed or partially removed by an association, the landowner may request that the association remove the vegetation at the association's expense. The association is required to remove the vegetation within ninety days; except that the association may offer and the landowner may accept payment for the reasonable cost of removal instead of the association removing the vegetation.

An association is not liable for personal injury, property damage, or fire suppression costs resulting from a wildland fire if any of the following apply:

- The association filed a wildland fire protection plan and completed the activities described in it;
- A landowner failed to control vegetation outside of a powerline facility easement on the landowner's land;
- The association requested and was denied access to

perform vegetation management in a right-of-way on land owned by a local government, the state, a federal agency, or a tribal agency; or

- A landowner prevented the association from maintaining

	<p>its powerline facility easement or from removing hazard vegetation outside the easement.</p> <p>If none of those circumstances apply and an association is found liable for a wildland fire, the prevailing plaintiff is limited to actual damages and cannot recover noneconomic, punitive, or exemplary damages.</p>
Comment	
Position	Monitor
Full Text	Full Text of Bill
Fiscal Notes	
House Committee	
Senate Committee	Transportation and Energy
Sponsors (House and Senate)	Senate: J. Ginal (D) D. Hisey (R) House: J. Arndt (D) M. Lynch (R)
Status	Introduced In Senate - Assigned to Transportation & Energy (03/02/2021)
Lobbyists	Lobbyists
Votes	Votes all Legislators
Hearing Date	