



Capitol Close-Up

Friday, March 14, 2008

It was another successful week at the legislature. HB-1312 (transportation/land use) was defeated in committee yesterday after the bill sponsor realized she did not have the votes to pass the measure on to the full House. The bill, among other things, would have allocated most transportation dollars to areas of the state where it was determined the least amount of vehicle miles traveled had occurred, thereby rewarding communities with higher densities and transportation alternatives and penalizing the rural areas of the state. The measure also would have enabled an onerous top down approach from the state level for future land use decisions. We and our coalition partners counted votes against the bill for several weeks and were finally able to secure enough opposition that the bill could not move forward. There will likely be numerous discussions with legislators and stakeholders over the summer months about the issues of transportation funding and land use and how they work together and we have been invited to participate throughout.

SB-187 (mandatory carbon monoxide detectors) was to be heard in the Senate Committee on Health and Human Services yesterday afternoon, but the bill was pulled from the calendar and the hearing was pushed back to next Thursday. The opposition to the bill is quite extensive and includes the Colorado Apartment Association, the REALTORS, representatives of the International Code Council, and homebuilders to name a few. We believe we have counted enough votes to defeat the measure in committee next week.

Please note: the full text of all bills is available by clicking on the bill number. In order to cut back on the length of Capitol Close-Up, bill summaries (also available by clicking on the bill number) are only provided for bills that were introduced in the past week.

HB08-1014 Concerning a requirement to transfer a well permit upon conveyance of residential real property

Status: **Senate Committee of the Whole passed on 3rd reading – the bill now goes to the Governor**
CAHB Position: Monitor

HB08-1053 Concerning the electronic submission of plats to a local government entity

Status: **House concurred with Senate amendments – sent to Governor**
CAHB Position: Support

HB08-1110 Concerning an income tax deduction for a landowner's direct costs incurred in performing wildfire mitigation measures

Status: **Senate Finance passed un-amended to Appropriations**
CAHB Position: Support
Calendar: **Friday, March 14th – 7:30 a.m., SCR 356**

HB08-1135 Concerning Common Interest Communities, and, in connection therewith, invalidating covenants that prohibit building modifications to accommodate persons with disabilities, requiring due process in penalty assessment procedures, and providing for alternative dispute resolution

Status: **Senate Local Government passed as amended to the Committee of the Whole**
CAHB Position: Monitor
Calendar: **Not on calendar**

HB08-1141 Concerning sufficient water supplies for land use approval

Status: House Government passed as amended to Appropriations

CAHB Position: Oppose

Calendar: Not on calendar

HB08-1148 Concerning the sufficiency of the assertion of a claim for title to real property by adverse possession under Colorado law

Status: Senate Judiciary passed as amended to the Committee of the Whole

CAHB Position: Monitor

Calendar: Monday, March 17th – 2nd reading

HB08-1170 Concerning the regulation of electricians

Status: Introduced in the Senate – assigned to Business, Labor & Technology

CAHB Position: Oppose

Calendar: Not on calendar

HB08-1225 Concerning an increase in the property tax exemption for business personal property

Status: House Finance referred un-amended to Appropriations

CAHB Position: Support

Calendar: Not on calendar

HB08-1259 Concerning increased accountability requirements for special districts

Status: Introduced in the Senate – assigned to Local Government

CAHB Position: Oppose

Calendar: Thursday, March 20th upon adjournment, SCR 353

HB08-1270 Concerning the removal of restrictions on the use of energy efficiency measures in connection with real property

Status: Introduced in the Senate – assigned to Local Government

CAHB Position: Oppose

Calendar: Thursday, March 20th – upon adjournment, SCR 353

BILL HB08-1278 Concerning the exercise of the power of eminent domain by the Regional Transportation District

Status: House Transportation & Energy referred as amended to Appropriations

CAHB Position: Monitor

Calendar: Friday, March 14th – 7:30 a.m., LSB-A

BILL HB08-1280 Concerning protection of water rights used by the Colorado Water Conservation Board for instream flows under contracts with water rights owners

Status: Introduced in the Senate – assigned to Agriculture, Natural Resources and Energy

CAHB Position: Monitor

Calendar: Thursday, March 20th – 1:30 p.m., SCR 353

HB08-1306 Concerning payment of amounts due under a construction agreement

Status: House Business Affairs and Labor referred as amended to Appropriations

CAHB Position: Monitor

Calendar: Not on calendar

HB08-1312 Concerning transportation planning, and, in connection therewith, establishing new transportation system performance efficiency and sustainability goals, requiring consideration of land use planning issues and adverse impact during the transportation planning process, and specifying other new requirements related to state, regional and local transportation planning

Status: **House Transportation & Energy postponed indefinitely!**

CAHB Position: Oppose

HB08-1340 Concerning the establishment of the Colorado Housing Investment Fund, and, in connection therewith, increasing the documentary fee on real estate transactions subject to voter approval to fund affordable housing

Status: House Finance took witness testimony and/or committee discussion only

CAHB Position: Oppose

Calendar: Not on calendar

HB08-1349 Concerning the modification of procedures for the collection of property taxes in connection with tax increment financing on the part of certain authorities established by municipalities

Status: Introduced In House - Assigned to Finance

CAHB Position: Deliberating

Calendar: Tuesday, March 25th – upon recess, LSB-A

HB08-1350 Concerning the facilitation of the financing of renewable energy

Status: House Transportation & Energy passed un-amended to House Committee of the Whole

CAHB Position: Monitor

Calendar: Not on calendar

HB08-1353 Concerning the implantation of additional requirements to verify the validity of a state income tax credit claimed by a taxpayer for donating a conservation easement in the state

Status: House Finance took witness testimony and/or committee discussion only

CAHB Position: Oppose

Calendar: Wednesday, March 19th – 1:30 p.m., Room LSB-A

SB08-117 Concerning local government treatment of solar energy device permits

Status: House Committee of the Whole passed on 3rd reading – the bill now returns to the Senate for consideration of House amendments

CAHB Position: Support

Calendar: Friday, March 14th – consideration of House amendments to Senate bills

SB08-158 Concerning the inclusion for urban renewal purposes of unincorporated land within a county that is contiguous to a portion of an urban renewal area located within a municipality

Status: Senate considered House amendments – result was to concur, repass. The bill now goes to the Governor.

CAHB Position: Oppose

SB08-187 Concerning a requirement that carbon monoxide alarms be installed in residential properties

Status: Introduced in the Senate – assigned to Health and Human Services

CAHB Position: Oppose

Calendar: Not on calendar

SB08-202 Concerning oil and gas operations, and, in connection therewith preserving the Colorado Oil and Gas Conservation Commission's authority to regulate oil and gas operations and limiting metropolitan districts' power to finance the payment of incremental directional drilling costs to oil and gas wells drilled in the Greater Wattenberg Area

Specifies that nothing in the notification of surface development statute limits the Colorado oil and gas conservation commission's authority to regulate oil and gas operations, including drilling windows. Limits metropolitan districts' power to finance the payment of incremental directional drilling costs to oil and gas wells drilled within the greater Wattenberg area.

Status: Introduced In Senate - Assigned to Agriculture, Natural Resources & Energy

CAHB Position: To be determined

Calendar: Wednesday, March 19th – upon adjournment, SCR 353

Bills of Interest Signed by the Governor

HB08-1020 Concerning recovery of costs in a case in which the plaintiff receives a judgment that is less than a rejected settlement offer

Status: Signed by the Governor 2/21/2008

CAHB Position: Oppose

Killed Bills of Interest

HB08-1118 Concerning context sensitive solutions for transportation projects

Status: House Transportation & Energy Committee postponed indefinitely!

CAHB Position: Oppose

HB08-1140 Concerning the repeal of statutory provisions prohibiting local governments from enacting rent controls on private residential property

House Local Government Committee postponed indefinitely on tie vote

CAHB Position: Oppose

HB08-1230 Concerning a requirement that mobile machinery that uses diesel fuel comply with emissions limitations

Status: House Committee on Health and Human Services postponed indefinitely!

CAHB Position: Oppose

HB08-1279 Concerning governmental land use regulations, and, in connection therewith, requiring land developers to pay fees to address the impacts caused by new construction, placing limits on fees for changes in permitted uses of real property, prohibiting the new issuance or application of land use regulations in specified circumstances without the payment of just compensation, and providing for initiative petition rights by which electors may vote to limit or end land use regulations

Status: House Local Government postponed indefinitely!

CAHB Position: Oppose

HB08-1323 Concerning qualification standards for contractors that perform public construction contracts for the state

Status: House State, Veterans, & Military Affairs postponed indefinitely!

CAHB Position: Oppose

SB08-056 Concerning the prohibition of discrimination against employees based upon labor union participation

Status: Senate State, Veterans & Military Affairs Committee postponed indefinitely!

CAHB Position: Monitor

SB08-084 Concerning requirements governing the development of land constituting the site of the Former Lowry Bombing and Gunnery Range

Status: Senate Health and Human Services postponed indefinitely!

CAHB Position: Oppose

SB08-094 Concerning modifications to the “Urban Renewal Law” to enable municipalities to create community development areas for the purpose of undertaking community development projects

Status: Senate Local Government postponed indefinitely!

CAHB Position: Oppose

SB08-124 Concerning the risk of damage to underground facilities caused by excavation

Status: House Local Government postponed indefinitely!

CAHB Position: Support

SB08-162 Concerning interest on fiduciarily held real estate accounts for the purpose of financing the provision of affordable housing, and, in connection therewith, creating the Fiduciary Earnings for Affordable Housing Fund and the Fiduciary Earnings for Affordable Housing Foundation

Status: Senate Health and Human Services postponed indefinitely!

CAHB Position: Oppose

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