
South Metro Denver Chamber

HB23-1020**Social Equity Licenses In Regulated Marijuana**

Comment:**Position:****MONITOR****Calendar**

NOT ON CALENDAR

Notification:**Short Title:**

Social Equity Licenses In Regulated Marijuana

Sponsors:

N. Ricks (D)

Summary:

The bill creates an accelerator hospitality business license, accelerator transporter license, and accelerator retail deliverer permittee for social equity licensees qualified to participate in the accelerator program.

The bill requires the department of revenue to provide an annual report to the finance committees of the house of representatives and the senate concerning active social equity licenses, any recommendations for new social equity licenses and permits, and any recommendations for new or innovating funding sources for the social equity licensees or permittees.

Effective January 2, 2024, the bill amends the eligibility requirements for a person to qualify as a social equity licensee. The bill clarifies that the new eligibility requirements only apply to social equity licensee applications received on or after January 2, 2024, or to the reinstatement or reactivation of social equity licenses originally issued before January 2, 2024. The new eligibility requirements do not apply to the renewal of social equity licenses applied for or issued before January 2, 2024.

The bill authorizes a social equity licensee who satisfies the eligibility requirements effective January 2, 2024, with a retail marijuana transporter licensee and a retail marijuana delivery permit or an accelerator retail deliverer permit, to exercise the privileges of a retail marijuana store license without needing to obtain a retail marijuana store license or accelerator store license.

The bill requires the department of revenue to create incentives for social equity licensees and accelerator-endorsed licensees, including reducing or waiving fees.

The bill creates, in the office of economic development, a grant committee that is responsible for reviewing grant applications, selecting grant recipients, and determining grant awards that are issued pursuant to

an existing grant program for supporting entrepreneurs in the marijuana industry.

(Note: This summary applies to this bill as introduced.)

Status: 2/23/2023 House Committee on Business Affairs & Labor Refer Amended to Finance

Fiscal Notes: [Fiscal Note](#)

HB23-1134

Require Electric Options In Home Warranties

Comment: **Xcel is supporting and asked for the bill to be added to the list**

Position: **MONITOR**

Calendar Monday, February 27 2023

Notification: SENATE TRANSPORTATION & ENERGY COMMITTEE
1:30 PM SCR 352
(2) in senate calendar.

Short Title: Require Electric Options In Home Warranties

Sponsors: J. Joseph (D) | C. Kipp (D) / L. Cutter (D)

Summary: The bill requires that, on and after January 1, 2024, every home warranty service contract that provides coverage for the replacement of any of certain gas-fueled appliances must include terms:

- Allowing the homeowner to replace the gas-fueled appliance with a similar device of the homeowner's choosing that operates on electricity rather than gas.
- Describing minimum efficiency and performance standards for each gas-fueled appliance and for electric replacements; and
- Allowing the homeowner to receive an equivalent cash value of a gas-fueled appliance in lieu of a replacement appliance.

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Status: 2/17/2023 Introduced In Senate - Assigned to Transportation & Energy

Fiscal Notes: [Fiscal Note](#)

HB23-1161**Environmental Standards For Appliances**

Comment: **Xcel is monitoring and asked for the bill to be added to the list**
Position: **OPPOSE**
Calendar: Thursday, March 2 2023
Notification: Energy & Environment
1:30 p.m. Room LSB-A
(1) in house calendar.
Short Title: Environmental Standards For Appliances
Sponsors: C. Kipp (D) | J. Willford (D) / L. Cutter (D)
Summary: Current law establishes water and energy efficiency standards (standards) for certain appliances and fixtures sold in Colorado. **Sections 1 through 7** of the bill expand the appliances and fixtures that are subject to the standards and update the standards.

Specifically, **section 4** updates standards for certain appliances and fixtures that are sold in Colorado on and after certain dates, including:

- Certain faucets and urinals;
- Certain lamps;
- Commercial hot food holding cabinets;
- Portable electric spas;
- Residential ventilating fans; and
- Spray sprinkler bodies.

Section 4 also creates new standards for certain appliances and other fixtures that are sold in Colorado on and after January 1, 2024, including:

- Air purifiers;
- Commercial ovens;
- Electric storage water heaters;
- Electric vehicle supply equipment;
- Gas fireplaces;
- Irrigation controllers;
- Tub spout diverters and showerhead tub spout diverter combinations; and
- Certain residential windows, residential doors, and residential skylights.

Section 4 also removes standards for air compressors, general service lamps, and uninterruptible power supplies. **Section 5** requires the executive director of the department of public health and environment

(executive director) to promulgate rules on or before January 1, 2026, and every 5 years thereafter:

- Adopting a more recent version of any standard; and
- Establishing standards for appliances and other devices that are not subject to the standards if certain conditions are met.

Section 6 exempts manufacturers of products subject to the standards from having to demonstrate that a product complies with the law if the product appears in the state appliance standards database maintained by the Northeast Energy Efficiency Partnerships, or a successor organization. **Section 6** also requires the executive director to conduct periodic, unannounced inspections of major distributors or retailers, including online retailers, of new products in order to determine compliance with the standards.

Under current law, any person who sells or offers to sell in the state any new consumer product that is required to meet an efficiency standard but that the person knows does not meet that standard is subject to a civil penalty of not more than \$2,000 for each violation, which amount is credited to the general fund. **Section 7** credits any penalties imposed to the energy fund created in the Colorado energy office rather than to the general fund and specifies that each transaction or online for-sale product listing constitutes a separate violation. **Section 8** establishes the "Clean Lighting Act" to phase out the sale of general-purpose fluorescent light bulbs that contain mercury. With certain exceptions:

- On and after January 1, 2024, a person shall not manufacture, distribute, sell, or offer for sale in Colorado any new compact fluorescent lamp with a screw- or bayonet-type base; and
- On and after January 1, 2025, a person shall not manufacture, distribute, sell, or offer for sale in Colorado any linear fluorescent lamp or any compact fluorescent lamp with a pin-type base.

Section 9 establishes standards for heating and water heating appliances. With certain exceptions, on and after January 1, 2025, a person shall not manufacture, distribute, sell, offer for sale, lease, or offer for lease in Colorado any new water heater, boiler, or fan-type central furnace unless the emissions of the product do not exceed certain limits on emissions. On or before January 1, 2029, the air quality control commission in the department of public health and environment must promulgate rules lowering the emission limits. **Section 9** also requires manufacturers to use certain testing protocols, display certain information on each product, and demonstrate compliance through one of various described means. **Sections 8 and 9** both require the executive director to conduct periodic, unannounced inspections of major distributors or retailers,

including online retailers, of new products to determine compliance and to report violations to the attorney general. If the attorney general has probable cause to believe that a violation occurred, the attorney general may bring a civil action on behalf of the state to seek the imposition of civil penalties, and any civil penalties are to be deposited in the energy fund.

(Note: This summary applies to this bill as introduced.)

Status: 2/1/2023 Introduced In House - Assigned to Energy & Environment

Fiscal Notes: [Fiscal Note](#)

HB23-1189

Employer Assistance For Home Purchase Tax Credit

Comment:

Position: **SUPPORT**

Calendar Monday, February 27 2023

Notification: Finance
1:30 p.m. Room 0112
(1) in house calendar.

Short Title: Employer Assistance For Home Purchase Tax Credit

Sponsors: S. Bird (D) / R. Zenzinger (D)

Summary: The bill creates a state income tax credit for employers who make a monetary contribution to an employee for use by the employee in purchasing a primary residence. The amount of the credit allowed is 5% of an employer's contribution to an employee, but the credit is capped at \$5,000 per employee per year and an employer cannot receive a credit of more than \$750,000 for all contributions made in a year to employees. The employee must use the money contributed for eligible expenses which include a down payment and closing costs, including fees for appraisals, mortgage origination, and inspections. An employee may authorize their employer to withhold a specified amount of the employee's earnings as an employee contribution into the savings account established by the employer that holds the employer contribution. If an employee ends their employment with the employer or if the employee intends to use the employee contribution in a manner that is not consistent with an eligible expense, the employee forfeits any unexpended amount of the employer contribution and the amount of the credit allowed to the employer for the employer contribution is subject to recapture. In such an occurrence, the employee is entitled to the employee contribution, plus any interest earned. The credit is not refundable but may be carried forward by the employer for a period of not more than 5 years. The amount contributed by the employer may be subtracted by the employee from the employee's federal taxable income for the purpose of determining their state taxable income; except that, if an employee forfeits the employer contribution, then the amount that the employee had subtracted from their federal taxable income is added back

to their federal taxable income for the purpose of determining their state taxable income for the subsequent tax year. The executive director of the department of revenue may promulgate rules related to the implementation of the credit.

(Note: This summary applies to this bill as introduced.)

Status: 2/10/2023 Introduced In House - Assigned to Finance

Fiscal Notes: [Fiscal Note](#)

HB23-1190

Affordable Housing Right Of First Refusal

Comment:

Position: **MONITOR**

Calendar: Tuesday, February 28 2023

Notification: Transportation, Housing & Local Government
1:30 p.m. Room LSB-A
(4) in house calendar.

Short Title: Affordable Housing Right Of First Refusal

Sponsors: A. Boesenecker (D) | E. Sirota (D) / F. Winter (D)

Summary: The bill creates a right of first refusal of a local government to match an acceptable offer for the sale of a residential or mixed-use multifamily property (property). The right to the purchase of the property by the local government is subject to the local government's commitment to using the property as long-term affordable housing. The local government may assign its right of first refusal to the state, to any political subdivisions, or to any housing authority in the state subject to the limitation that the assignee make the same commitment to using the property as long-term affordable housing.

The bill requires notices to be given by the seller to local governments and by local governments to the seller and to residents of the property. Upon receiving notice of intent to sell or of a potential sale of property, a local government has 14 business days to preserve its right of first refusal and an additional 90 business days to make an offer and must agree to close on the property within 180 business days of the execution of an agreement for the sale and purchase of the qualifying property.

The bill allows certain sales of property to be exempt from the right of first refusal and the requirements established by the bill for the right of first refusal. The bill also allows the local government to waive its right of first refusal to purchase a property if the local government elects to disclaim its rights to any proposed transaction or for any duration of time or if there is a third-party buyer interested in purchasing the property with the same commitment to preserving or converting the property for long-term affordable housing and if the third-party buyer

enters into an agreement with the local government concerning the third-party buyer's commitment to long-term affordable housing.

If the local government, its assignee, or a third-party buyer who has committed to preserving or converting the property for long-term affordable housing has acquired the property and maintained the property for long-term affordable housing for 50 years, the property may be converted to another use if the following conditions are met:

- Notice is given to residents prior to the conversion;
- Any displaced residents are provided with compensation for relocation; and
- The local government, its assignee, or a third-party buyer who has committed to preserving or converting the property for long-term affordable housing guarantees the development or conversion of an equal or greater amount of units within the boundaries of the local government for long-term affordable housing and offers the units first to any residents displaced by the conversion of the property.

The bill also provides that the attorney general's office has responsibility to enforce the provisions of the bill and that the attorney general's office, a local government, or a mission-driven organization has standing to bring a civil action for violations of the bill.

(Note: This summary applies to this bill as introduced.)

Status: 2/10/2023 Introduced In House - Assigned to Transportation, Housing & Local Government

Fiscal Notes: [Fiscal Note](#)

HB23-1192

Additional Protections In Consumer Code

Comment:

Position: **OPPOSE**

Calendar: Tuesday, February 28 2023

Notification: Judiciary
1:30 p.m. Room 0112
(1) in house calendar.

Short Title: Additional Protections In Consumer Code

Sponsors: M. Weissman (D) / J. Gonzales (D) | R. Rodriguez (D)

Summary: **Section 1** of the bill:

- Removes the knowingly or recklessly mental state from the general unfair or deceptive trade practice provision concerning an unfair, unconscionable, deceptive, deliberately misleading, false, or fraudulent act or practice;
- Establishes as a deceptive trade practice the act of including in a contract offered to or entered into with a consumer a term that is substantially unconscionable or void as against public policy;
- Establishes that evidence that a person has engaged in an unfair or deceptive trade practice constitutes a significant impact to the public; and
- Amends the definition of "recklessly" with regard to unfair or deceptive trade practices to mean without regard to consequences or to the rights, interests, or safety of others.

Under current law, a person commits an unfair and unconscionable act or practice if the person engages in price gouging with regard to the sale or provision of certain goods or services during, and for a certain period after, a declared emergency disaster (disaster period). **Section 2** extends the disaster period from 180 days after the first declaration of the disaster to 180 days after the final declaration concerning the disaster expires. **Section 3** repeals and reenacts the "Colorado Antitrust Act of 1992" as the "Colorado State Antitrust Act of 2023" (act) and:

- Establishes that the facilitation or aiding and abetting of another person's violation of the act is itself a violation of the act;
- Authorizes the attorney general (AG) to request discovery from any person that the AG believes may in the future engage in, or has information related to, a violation of the act;
- Authorizes the AG to deem investigatory or intelligence records related to the act available for public inspection, but allows the AG to issue public statements or warnings regarding conduct forming the basis of the investigatory or intelligence records without waiving the AG's authority not to deem the records available for public inspection;
- Authorizes a court, upon request of the AG, to compensate a person that has been injured from a violation of the act as part of a civil action that the AG brings on behalf of the person;
- Increases the maximum civil penalty that a court may award for a violation of the act from \$250,000 to \$1,000,000 per violation; and
- With regard to the statute of limitations for commencing a civil action under the act:
- Clarifies that a cause of action accrues on the date of the last in a series of acts or practices that, in the aggregate, constitute a violation of the act;

- Tolls the statute of limitations for any civil action pertaining to an alleged violation of the act during the pendency of a federal proceeding regarding the conduct forming the basis of the alleged violation of the act; and
 - Exempts the AG from the statute of limitations.
- (Note: This summary applies to this bill as introduced.)*

Status: 2/10/2023 Introduced In House - Assigned to Judiciary

Fiscal Notes: [Fiscal Note](#)

HB23-1196 **Remedies At Law For Violating Colorado Youth Act**

Comment:

Position: **MONITOR**

Calendar Notification: Thursday, March 2 2023
Business Affairs & Labor
1:30 p.m. Room 0112
(3) in house calendar.

Short Title: Remedies At Law For Violating Colorado Youth Act

Sponsors: S. Lieder (D) / T. Sullivan (D)

Summary: The bill amends the "Colorado Youth Employment Opportunity Act of 1971" (act) to allow aggrieved parties, including parents of children protected by the act, to pursue remedies at law and in equity for violations of the act that are not within the scope of workers' compensation remedies.
(Note: This summary applies to this bill as introduced.)

Status: 2/13/2023 Introduced In House - Assigned to Business Affairs & Labor

Fiscal Notes:

HB23-1215 **Limits On Hospital Facility Fees**

Comment:

Position: **OPPOSE**

Calendar Notification: NOT ON CALENDAR

Short Title: Limits On Hospital Facility Fees

Sponsors: E. Sirota (D) | A. Boesenecker (D) / K. Mullica (D) | L. Cutter (D)

Summary: The bill defines "health-care provider" as a person that is licensed or otherwise authorized in this state to furnish a health-care service, which includes a hospital and other providers and health facilities.

The bill prohibits a health-care provider (provider) affiliated with or owned by a hospital or health system from charging a facility fee for health-care services furnished by the provider for:

- Outpatient services provided at an off-campus location or through telehealth; or
- Certain outpatient, diagnostic, or imaging services identified by the medical services board as services that may be provided safely, reliably, and effectively in nonhospital settings.

The bill:

- Requires a provider that charges a facility fee to provide notice to a patient that the provider charges the fee and to use a standardized bill that includes itemized charges identifying the facility fee, as well as other information;
- Requires the administrator of the all-payer health claims database to prepare an annual report of the number and amount of facility fees by payer, codes with the highest total paid amounts and highest volume, and other information; and
- Makes it a deceptive trade practice to charge, bill, or collect a facility fee when doing so is prohibited.

(Note: This summary applies to this bill as introduced.)

Status: 2/22/2023 Introduced In House - Assigned to Health & Insurance

Fiscal Notes:

<u>SB23-095</u>	Unlawfully Aiming Laser Device At Aircraft
Comment:	Air Methods strongly supports and asked for the bill to be added to the list
Position:	SUPPORT
Calendar	Tuesday, February 28 2023
Notification:	Judiciary 1:30 p.m. Room 0112 (4) in house calendar.
Short Title:	Unlawfully Aiming Laser Device At Aircraft
Sponsors:	J. Ginal (D) B. Gardner (R) / M. Soper (R) L. Daugherty (D)
Summary:	The bill creates a class 6 felony for a person who knowingly points, focuses, or aims a laser device at an aircraft.

The bill provides exemptions for a person who points a laser device at an aircraft under certain circumstances.

(Note: This summary applies to the reengrossed version of this bill as introduced in the second house.)

Status: 2/23/2023 Introduced In House - Assigned to Judiciary

Fiscal Notes: [Fiscal Note](#)