

Denver Police Department



Please find the below year-end 2018 Colorado State Legislative Report. This document contains information regarding proposed legislation that was introduced at the state Capitol. Several bills passed both houses and have become law, many died during the process, and several are awaiting action by the Governor. The bills included within this report may have an impact on your organization.

Bill No.: HB 18-1003

Title: Opioid Misuse Prevention

Sponsors: [Rep. B. Pettersen](#) | [Sen. K. Priola](#) | [Sen. C. Jahn](#)

Summary: This bill implements several policies related to the prevention of opioid and substance misuse, including:

- establishing the 10-member Opioid and Other Substance Use Disorders Study Committee as an interim study committee through July 1, 2020, with the committee authorized to meet up to six times and to refer up to six bills per interim;
- clarifying that school-based health centers that apply for grants from the grant program from the Department of Public Health and Environment (CDPHE) can use this funding for education, intervention, and prevention for opioid, alcohol, marijuana, and other substance use disorders, and requiring that \$775,000 from the Marijuana Tax Cash Fund be appropriated in FY 2018-19 for school-based behavioral health services;
- directing the Department of Health Care Policy and Financing (HCPF) to make grants to organizations to operate screening, brief intervention, and referral to treatment (SBIRT) programs that meet certain requirements starting on July 1, 2018, and requiring that a total of \$1,500,000 in grants be awarded;
- requiring the SBIRT contractor to develop an online patient education module for women of childbearing age to learn about the risks of substance-exposed pregnancies and requiring that \$175,000 from the Marijuana Tax Cash Fund be appropriated for this purpose;
- directing the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center to develop and implement continuing medical education activities to help prescribers of pain medication to safely and effectively manage patients with chronic pain, and prescribe opioids when appropriate, requiring the center to develop education and training for law enforcement officers and first responders concerning the use of opioid antagonists, and requiring that \$750,000 from the Marijuana Tax Cash Fund be appropriated for these purposes in FY 2018-19; and
- requiring the Governor to direct the Colorado Consortium for Prescription Drug Abuse Prevention to develop a strategic plan concerning substance use recovery services and

issue recommendations to the General Assembly in several areas by January 1, 2020.

Position: Monitor

Status: Awaiting action by Governor

Division/Unit Impacted: All Patrol Districts, Divisions, and Units

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017); except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1003_rer.pdf

Bill No.: HB 18-1015

Title: Repeal Ammunition Magazine Prohibition

Sponsors: [Rep. S. Humphrey](#) | [Rep. L. Saine](#) | [Sen. O. Hill](#)

Summary: This bill repeals the prohibition of the sale, transfer, and possession of large-capacity ammunition magazines. It also repeals the requirement that manufacturers put a stamp or mark on large-capacity ammunition magazines made in Colorado after July 1, 2013.

Position: Monitor

Status: 02/21/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1015_01.pdf

Bill No.: HB 18-1018

Title: Human Trafficking Commercial Driver's License

Sponsors: [Rep. T. Carver](#) | [Rep. D. Jackson](#) | [Sen. R. Zenzinger](#) | [Sen. J. Cooke](#)

Summary: The Department of Revenue, which contains the state's Division of Motor Vehicles, currently promulgates rules related to the licensing of commercial drivers. This bill requires the department to promulgate rules requiring commercial driver schools to include training on the recognition, prevention, and reporting of human trafficking. The department must collaborate with organizations that specialize in the recognition and prevention of human trafficking and other state agencies when promulgating these rules. The department must also publish information about human trafficking in a manner that is likely to be read by licensed commercial drivers or people training to obtain such licenses.

Position: Monitor

Status: Signed by Governor

Division Impacted: All

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018), except if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1018_enr.pdf

Bill No.: HB 18-1020

Title: [Civil Forfeiture Reforms](#)

Sponsors: [Rep. L. Herod](#) | [Sen. D. Kagan](#) | [Sen. T. Neville](#) | [Sen. B. Gardner](#)

Summary: House Bill 17-1313 required state and local agencies involved in the seizure of property (seizing agencies) as part of a criminal investigation to submit reports to the Department of Local Affairs (DOLA) and created a \$50,000 threshold for receiving proceeds from federal seizures. This bill defines a reporting agency for the purpose of making it clear which agencies are required to submit seizure reports to DOLA. This bill also adds seizures related to local public nuisance laws or ordinances to the list of seizures to be reported and creates two law enforcement grants.

Law enforcement assistance grant program. The Law Enforcement Assistance Grant Program, administered by the Department of Public Safety (DPS) is created to reimburse local governments for revenue lost from the changes established under HB17-1313. Seizing agencies can apply for grants for up to the amount they would have received prior to the passage of HB17-1313. Awarded grant funds are to be used only for purposes permissible under federal equitable sharing guidelines, such as operations and investigations, training and education, equipment and supplies, joint law enforcement and public safety operations, and community-based programs. Beginning August 1, 2019, and each year thereafter, agencies must report how grant funds were used. DPS must report to the General Assembly beginning October 1, 2019 and each year thereafter on this program.

Law enforcement community services grant program. The Law Enforcement Community Services Grant program, administered by DOLA is created to provide funding to law enforcement entities, local governments, and community organizations to improve services to the community through policing, outreach, drug intervention, prevention, treatment, recovery, technology, training, and other community services. The Law Enforcement Community Services Grant Program Committee which consists of 17 members, is also created. DOLA is not required to create this grant program until sufficient funds have been received and can only spend five percent of funds for the administration of the grants. DOLA is authorized to accept and expend gifts, grants, and donations for this program. Once created, DOLA is required to report on this grant program as part of its annual SMART Act hearing beginning December 1, 2019.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: All members of the Department

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1020_rer.pdf

Bill No.: HB 18-1021

Title: Task Force for Youth Experiencing Homelessness

Sponsors: [Rep. E. Hooton](#) | [Rep. L. Landgraf](#) | [Sen. J. Kefalas](#)

Summary: This bill creates a 21-member task force in the Department of Local Affairs (DOLA) to study issues related to youth experiencing homelessness. The task force will examine how to increase services for youth experiencing homelessness, as well as the current coordination between state agencies and local agencies. It will also ensure there is a statewide strategy to prevent homelessness, and report on Colorado's progress toward preventing and ending homelessness. The task force must convene on or before July 1, 2018, and meet at least six times prior to June 30, 2020. It must prepare two reports that outline the recommendations of the committee, which are submitted to DOLA and the Local Government committees in the House of Representatives and the Senate.

The bill specifies that the Office of Homeless Youth Services is transferred by a Type 2 transfer to DOLA from the Department of Human Services.

Position: Monitor

Status: Bill died in committee

Division Impacted: All

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1021_ren.pdf

Bill No.: HB 18-1029

Title: Lowering Mandatory Parole From 5 Years To 3 Years

Sponsors: [Rep. M. Weissman](#) | [Sen. K. Lundberg](#)

Summary: This bill proposes reducing mandatory parole periods to three years for offenders sentenced for class 3 felony crimes committed on and after July 1, 2018, and for class 2 felony crimes that are not crimes of violence. Under current law, these crimes carry a mandatory parole period of five years to be served after an offender's release from prison.

Position: Monitor

Status: 04/23/2018 | Governor Signed

Division Impacted: None

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1029_signed.pdf

Bill No.: HB 18-1030

Title: Prohibit Discrimination Labor Union Participation

Sponsors: [Rep. J. Everett](#) | [Sen. T. Neville](#)

Summary: This bill prohibits an employer from requiring employee membership in a labor organization as a condition of employment and from requiring employees to pay dues or fees to a labor organization, charity, or other third party. Standing agreements that violate these prohibitions are made void. The bill also defines all-union agreements as unfair labor practices. Violations by employers are considered unclassified misdemeanors and are subject to civil actions and criminal penalties of a fine up to \$1,000, imprisonment in county jail for up to 90 days, or both. Civil remedies include all damages and attorney fees resulting from the violation. The Attorney General or the district attorney of each judicial district is responsible for investigating complaints and taking actions to enforce the statute. Federal employers and employees, as well as those covered by the Railway Labor Act, are exempt from the bill.

Position: Monitor

Status: 01/24/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017A_1040_signed.pdf

Bill No.: HB 18-1037

Title: Concealed Handguns on School Grounds

Sponsors: [Rep. P. Neville](#) | [Sen. T. Neville](#)

Summary: This bill allows an individual with a concealed carry permit to carry a concealed handgun onto the real property of a public elementary, middle, junior high, or high school.

Position: Monitor

Status: 02/21/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1037_01.pdf

Bill No.: HB 18-1041

Title: [Crime of Cruelty to Certified Police Working Horse](#)

Sponsors: [Rep. M. Catlin](#) | [Sen. D. Coram](#)

Summary: This bill defines a certified police working horse and adds cruelty to a certified police working horse to the crime of cruelty to a service animal or a certified police working dog, which is a class 1 misdemeanor. An aggravated offense is a class 6 felony with subsequent offenses being a class 5 felony. A second violation of cruelty to a certified police working horse requires the payment of a minimum fine of \$1,000 and the completion of an anger management program. Restitution, including veterinary expenses and replacement costs, must be paid if the certified police working horse is permanently disabled or killed and the court finds the offense to have been committed with malicious intent. Lastly, a person who in good faith reports an incident of cruelty to a certified police working horse is immune from civil liability.

Position: Monitor

Status: 03/7/2018 | Governor Signed

Division Impacted: All

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1041_signed.pdf

Bill No.: HB 18-1056

Title: FPPA Fire and Police Pension Association Statewide Standard Health History Form

Sponsors: [Rep. K. Van Winkle](#) | [Rep. D. Williams](#) | [Sen. J. Cooke](#)

Summary: This bill allows the Fire and Police Pension Association (FPPA) to implement an electronic format for completing and filing the required health history form. The bill also clarifies the following requirements for health history form submittal:

- all newly hired members must fill out the form within 30 days of employment; and
- employers must require all new employees to complete the form and file it with the FPPA within 60 days of completion.

If the forms are not submitted as required, employers can be liable for the payment of disability and survivor benefits.

Position: Monitor

Status: 04/12/2018 | Governor Signed

Division Impacted: All

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018), except if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1056_enr.pdf

Bill No.: HB 18-1059

Title: Require 911 Call

Sponsors: [Rep. J. Wilson](#)

Summary: This bill makes it a crime to not call 911 or use another means to summon emergency assistance if a person knows or should know that someone is in need of emergency assistance. A violation of this law is a class 1 misdemeanor or a class 6 felony if the person in need of assistance dies as a result of the failure to call 911 or summon emergency assistance.

Position: Monitor

Status: 02/6/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1059_01.pdf

Bill No.: HB 18-1061

Title: No Encryption of Dispatch Radio Communications

Sponsors: [Rep. K. Van Winkle](#)

Summary: This bill requires that all state and local government agencies broadcast dispatch radio communications without encryption so that they may be monitored by commercially available radios receivers and scanners. The bill allows encryption for dispatch radio communications to be used:

- by a state entity, city, city and county, or county when necessary to preserve the tactical integrity of an operation, protect the safety of law enforcement officers or other emergency responders, or prevent the destruction of property; and
- by an investigative unit of a state or local government law enforcement agency engaged in the investigation of potential or actual criminal conduct.

Any state or local government entity that encrypts any of its dispatch radio communications, as permitted by House Bill 18-1061, must disclose on its public website or upon request a list of its radio communications channels; a description of the channels, including whether each channel is used for tactical or investigative communications; and an indication of which channels are always or sometimes encrypted. The bill's requirements do not apply to the use of cellular or other common-carrier telephonic communication by a state or local government entity.

Civil actions. The bill allows any person to bring a civil action in district court against any sheriff, police chief, fire chief, or other administrative head of any state or local government agency, for alleged violations of the bill.

Crime of monitoring dispatch radio communications. The bill creates a new class 3 misdemeanor for unauthorized interception of dispatch radio communications. This offense occurs when an intercepted communication is used to assist in the commission of a criminal offense or to avoid or escape arrest and prosecution by the interceptor or another person he or she knows to be a suspect in the commission of any criminal offense.

Position: Monitor

Status: 01/18/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1061_01.pdf

Bill No.: HB 18-1064

Title: Training Program Prevention Child Sexual Abuse

Sponsors: [Rep. D. Michaelson Jenet](#) | [Sen. D. Coram](#) | [Sen. R. Fields](#)

Summary: This bill allows funds from the Colorado Children's Trust Fund (CCTF) to be used to develop, promote, maintain, and monitor a research-based child sexual abuse prevention training model. The bill expands current training to include all persons who interact with young children, including parents, childcare providers, teachers, and any other mandatory reporter. Finally, the bill adds a component to the voluntary child care credentialing system for education and training on the prevention of child sexual abuse.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1064_rer.pdf

Bill No.: HB 18-1066

Title: Clarify Sexually Exploitative Material Discovery

Sponsors: [Rep. Y. Willett](#) | [Rep. M. Foote](#) | [Sen. J. Cooke](#)

Summary: This bill clarifies that current law concerning the sexual exploitation of a child does not change the discovery procedure for sexually exploitative materials.

Position: Monitor

Status: 03/22/2018 | Governor Signed

Division Impacted: Major Crimes

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1066_signed.pdf

Bill No.: HB 18-1067

Title: Right to Rest Act

Sponsors: [Rep. J. Melton](#) | [Rep. J. Salazar](#)

Summary: The bill creates the 'Colorado Right to Rest Act', which establishes basic rights for persons experiencing homelessness, including, but not limited to, the right to use and move freely in public spaces, to rest in public spaces, to eat or accept food in any public space where food is not prohibited, to occupy a legally parked vehicle, and to have a reasonable expectation of privacy of one's property. The bill does not create an obligation for a provider of services for persons experiencing homelessness to provide shelter or services when none are available.

Position: Monitor

Status: 03/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1067_01.pdf

Bill No.: HB 18-1072

Title: Red Light Camera Repeal

Sponsors: [Rep. S. Humphrey](#) | [Sen. T. Neville](#)

Summary: This bill prohibits a government entity or an agent of a government entity from using automated vehicle identification systems (AVIS) to issue traffic citations. No evidence obtained through AVIS may be reported to the Department of Revenue, an insurance company, or an entity for a credit report. The bill allows AVIS to be used when assessing tolls or civil penalties for toll roads and high occupancy vehicle lanes.

Position: Oppose

Status: 02/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1072_01.pdf

Bill No.: HB 18-1074

Title: Deadly Force Against Intruder at a Business

Sponsors: [Rep. J. Everett](#) | [Sen. V. Marble](#)

Summary: This bill adds a place of business to the locations that may be defended using deadly

physical force if an owner, manager, or employee reasonably believes that the intruder is committing, has committed, or intends to commit a crime other than the unlawful entry and that the intruder might use physical force against the occupant. The bill specifies that an owner, manager, or employee of a business is immune from criminal prosecution and civil liability for defending a place of business using deadly physical force.

Position: Monitor

Status: 02/21/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1074_01.pdf

Bill No.: HB 18-1076

Title: Peace Officers Standards and Training Board Revoke Certification for Untruthful Statement

Sponsors: [Rep. J. Salazar](#) | [Sen. D. Moreno](#) | [Sen. D. Coram](#)

Summary: This bill requires the revocation of POST certification when the POST Board receives notice from a law enforcement agency that a peace officer knowingly made an untruthful statement or knowingly omitted a material fact on a criminal justice record, while testifying under oath, or during an internal affairs investigation or comparable administrative investigation. The law enforcement agency must certify that it has completed a process to review, and determined through clear and convincing evidence, that the officer knowingly made an untruthful statement or omitted material fact. This certification must be provided to the POST Board on a form created by the POST Board. A peace officer may appeal the revocation under POST Board rules.

Position: Monitor

Status: 05/9/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1076_ren.pdf

Bill No.: HB 18-1077

Title: Penalty for Burglary of Firearms

Sponsors: [Rep. L. Liston](#) | [Rep. D. Valdez](#) | [Sen. L. Garcia](#) | [Sen. R. Scott](#)

Summary: This bill enhances the sentence for second degree burglary from a class 4 felony to a class 3 felony if the objective of the burglary is the theft of one or more firearms or ammunition. The bill allows the courts to impose a fine of \$5,000 to \$750,000 for an individual convicted of second degree burglary with the objective of stealing a firearm or ammunition.

Position: Monitor

Status: Awaiting signature from Governor

Division Impacted: Major Crimes, District Investigations

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1077_enr.pdf

Bill No.: HB 18-1089

Title: No Monetary Conditions of Bond for Misdemeanors

Sponsors: [Rep. A. Benavidez](#) | [Sen. R. Fields](#)

Summary: Under this bill, a defendant in custody with a monetary bond may request a hearing after five days if he or she remains in custody because he or she is unable to financially meet the bond obligations. Upon written or oral motion, the court must grant the offender at least one hearing to reconsider the monetary condition of the bond as soon as practicable. Under current law, only one such motion may be filed and can only be done so after seven days. In reconsidering the bond, the court must consider:

- the offender's financial circumstances;
- the propriety of continued detention of the offender because of the monetary bond;
- whether a sentence to probation or other community-based sentence is likely; and
- any relevant factors originally considered by the court, including a victim statement.

Personal recognizance bond. Except for defendants charged with driving under the influence, a crime against a victim or witness or any relevant municipal code violation, any defendant arrested and charged with a misdemeanor, petty offense, or municipal code violation must be released on a personal recognizance bond (PR bond) with no monetary conditions. Any person released on a PR bond must sign and file a written release agreement. Monetary or other bond conditions may be imposed if the court determines in writing that the defendant presents a substantial risk of flight from prosecution, to harass or intimidate a victim of witness, or to threaten the safety of another person.

Position: Monitor

Status: 04/16/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1089_ren.pdf

Bill No.: HB 18-1092

Title: Marijuana Delivery Pilot Project

Sponsors: [Rep. J. Melton](#) | [Rep. J. Singer](#) | [Sen. T. Neville](#)

Summary: This bill creates a pilot program to allow marijuana delivery in up to three municipalities that enter into a Memorandum of Understanding with the Marijuana Enforcement Division (MED) in the Department of Revenue (DOR). The memorandum must include an agreement on revenue sharing and declare the store to be the point of taxation. The MED must begin issuing licenses by January 1, 2019, and report to the finance committees of the General Assembly by March 1, 2020. The program repeals on December 31, 2020.

The MED is required to perform rulemaking related to the license, for which the bill specifies criteria to be considered during this process. Application and renewal fees must cover costs for regulation and enforcement of the license. Licensees and their staff, who must have an occupational license, must undergo specific training related to marijuana delivery, in particular for proof of age identification verification.

Position: Monitor

Status: 04/18/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1092_ren.pdf

Bill No.: HB 18-1094

Title: Children and Youth Mental Health Treatment Act

Sponsors: [Rep. L. Herod](#) | [Rep. C. Wist](#) | [Sen. B. Martinez Humenik](#) | [Sen. D. Moreno](#)

Summary: This bill indefinitely extends the *Child Mental Health Treatment Act* that is set to repeal July 1, 2019, renames it the *Children and Youth Mental Health Treatment Act* and makes a number of changes. Among the changes to the act, the bill:

- expands eligibility for services from age 18 to age 21 and expands service availability statewide;
- requires the Department of Human Services (DHS) to develop a standardized risk stratification tool for use by mental health agencies in determining eligibility;
- requires the DHS to maintain a list of available providers on its website, updated quarterly;
- allows a family advocate, family systems navigator, or county department to assist a family in requesting services, choosing services, and appealing a denial for services; and
- modifies the membership of the advisory board and changes the appointing authority from the Governor to the DHS.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1094_rer.pdf

Bill No.: HB 17-1096

Title: Special Event Permit Alcohol Beverages

Sponsors: [Rep. M. Gray](#) | [Sen. K. Priola](#)

Summary: The bill removes the provision that allows municipalities owning arts facilities to apply for a special event permit, instead allowing any municipality, county, or special district to do so. In addition, it adds educational organizations to the list of organizations that can apply for a special event permit.

Position: Monitor

Status: 03/15/2018 | Governor Signed

Division Impacted: District Patrol

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1096_signed.pdf

Bill No.: HB 18-1103

Title: Local Government Off-highway Vehicle Regulation

Sponsors: [Rep. B. McLachlan](#) | [Sen. D. Coram](#)

Summary: Under current law, local governments may enact an ordinance or resolution requiring off-highway vehicle (OHV) operators to have a driver license or carry liability insurance within an entity's jurisdiction. This bill clarifies that local governments may also require OHV operators to use seatbelts, a child restraint system, eye protection, or a helmet (for riders 18 years and younger). A local government may also limit the number of occupants on an OHV to the maximum number of occupants the vehicle is designed to hold.

Position: Monitor

Status: 03/29/2018 | Governor Signed

Division Impacted: All

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1103_signed.pdf

Bill No.: HB 18-1105

Title: Motor and Power sports Vehicle License Requirement

Sponsors: [Rep. L. Liston](#) | [Rep. J. Melton](#) | [Sen. J. Tate](#)

Summary: Beginning in FY 2018-19, this bill clarifies that any business owner selling a power sports vehicle is exempt from licensing requirements if:

- the vehicle has been owned for more than one year;
- the vehicle has been used exclusively for business purposes;
- the vehicle is titled in the name of the business;
- the vehicle has all taxes paid; and
- the business owner does not sell more than 20 vehicles in a two-year period.

Under current law, all fine revenue from violations for illegally selling power sports vehicles is awarded to the law enforcement agency that investigated and issued the citation for the violation. This bill diverts half of the fines collected to the Auto Dealers License Fund.

Position: Monitor

Status: 03/7/2018 | Governor Signed

Division Impacted: Patrol, Major Crimes, District Investigations

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1105_signed.pdf

Bill No.: HB 17-1115

Title: Department of Public Safety Human Trafficking-related Training

Sponsors: [Rep. T. Carver](#) | [Rep. J. Ginal](#) | [Sen. J. Cooke](#) | [Sen. L. Garcia](#)

Summary: This bill requires the Division of Criminal Justice in the Department of Public Safety, to provide human trafficking training to law enforcement agencies, organizations that provide services to human trafficking victims, school personnel and parents, and any other entity that may benefit from the training. Such training can be done through direct training sessions, online training sessions, or train-the-trainer sessions. The training curriculum must be developed in collaboration with the Colorado Human Trafficking Council (CHTC). Priority must be given to training requests from areas within the state that have limited access to other training resources.

The Department of Public Safety is authorized to accept and expend gifts, grants, and donations related to providing this training. The entity providing the gift, grant, or donation must submit a letter specifying the amount to be donated or the estimated value of any in-kind donation or service and the period and purpose for which the donation must be used. By January 17, 2019, and each year thereafter, the department must include a training update in the annual human trafficking report.

Position: Monitor

Status: 05/8/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1115_ren.pdf

Bill No.: HB 18-1128

Title: Protections for Consumer Data Privacy

Sponsors: [Rep. C. Wist](#) | [Rep. J. Bridges](#) | [Sen. K. Lambert](#) | [Sen. L. Court](#)

Summary:

This bill adds definitions and makes changes related to the handling of personally identifying information and required procedures and notifications if this information is breached.

Record disposal policy. This bill requires each governmental and covered entity that owns, maintains, or licenses personal identifying information in the state that maintains paper or electronic documents that contain personally identifying information to develop a written policy for the disposal of such records. When these records no longer need to be stored, unless otherwise required by state or federal law, this policy must require the destruction of these records in a manner that ensures the personally identifying information is unreadable. Governmental entities that are regulated by state or federal law and maintain disposal procedures in accordance with any applicable state or federal law, rules, procedures, or guidelines are in compliance with the disposal requirements of this bill.

Security procedures. A covered entity that maintains, owns, or licenses personally identifying information or uses a third party as a service provider must implement and maintain reasonable security procedures and practices that are appropriate to the information stored and size and nature of the entity to protect personally identifying information from unauthorized access. Governmental entities must also maintain reasonable security measures to protect personal identifying information from unauthorized access, use, modification, disclosure, or destruction. Governmental entities that use third-party service providers must require the providers to implement reasonable security measures. Governmental entities are in compliance with this bill if they maintain security measures in accordance with state and federal law, rules, procedures, or guidelines regulating them.

Breach notification. This bill adds definitions related to the disclosure of a security breach and requires a covered or governmental entity to give written notice to affected Colorado residents upon discovery of a security breach as soon as possible, but no later than 30 days from the date of the breach. Prior to providing this notice and consistent with current law for individual and commercial entities, governmental entities must conduct a prompt investigation when it is determined that an information breach has occurred. Notice is not required if the investigation determines misuse of the information has or is not likely to occur. This bill describes what information must be included in such a notification including, but not limited to, the date of the breach, a description of the information accessed in the breach, and information for contacting credit agencies and the Federal Trade Commission. Covered and

governmental entities are prohibited from charging for the cost of providing this notice. Electronic breach notifications may be provided in certain situations, such as when individuals whose information was breached and notification is needed promptly to change a password or log-in credentials. Consistent with current law for individual and commercial entities, covered and governmental entities must notify all consumer reporting agencies for any breach affecting more than 1,000 Colorado residents.

Breach reporting to the Attorney General. A covered or governmental entity is required to provide notice to the Colorado Attorney General within 30 days of any breach if the breach is believed to impact 500 or more Colorado residents. The Attorney General is authorized to investigate and prosecute the breach upon receipt of this notice.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1128_rer.pdf

Bill No.: HB 18- 1131

Title: Court System for Remote Participation in Hearings

Sponsors: [Rep. D. Michaelson Jenet](#) | [Sen. L. Crowder](#) | [Sen. R. Fields](#)

Summary: This bill requires the Office of the State Court Administrator in the Judicial Department to operate a tele-justice program, which municipal, county, and district courts are encouraged to use. The court retains complete discretion over the use of tele-justice and must consider specific factors when determining whether a proceeding is one that requires the physical presence of the defendant.

The program must implement a telephonic or internet-based networking software to allow municipal, county, and district courts to conduct hearings and other judicial proceedings remotely. The program is required to provide a two-way audio and video connection that allows participants to see and communicate verbally with each other.

The bill requires the Public Utilities Commission (PUC) in the Department of Regulatory Agencies to report to Division of Criminal Justice (DCJ) by November 1, 2018, as to the areas of the state that are relatively lacking in internet connectivity and infrastructure. The PUC must make recommendations regarding the implementation of the tele-justice program.

Finally, the bill creates the tele-justice Program Cash Fund that will consist of money appropriated or transferred by the General Assembly. Subject to annual appropriations, the Office of the State Court Administrator may expend money from the fund for the operation of the program. Municipalities that choose to participate in the program are responsible for the costs of installing and maintaining necessary software and equipment.

Position: Support

Status: 04/16/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1131_ren.pdf

Bill No.: HB 18-1136

Title: Substance Use Disorder Treatment

Sponsors: [Rep. B. Pettersen](#) | [Sen. K. Priola](#) | [Sen. C. Jahn](#)

Summary: This bill adds inpatient and residential substance use disorder treatment as a benefit under the Colorado Medicaid Program, conditional upon federal approval. The Department of Health Care Policy and Financing (HCPF) must seek necessary federal approval by October 1, 2018. If the new benefit is enacted, the bill requires that managed service organizations contracted by the Office of Behavioral Health reprioritize Marijuana Tax Cash Fund funding for persons who are not eligible for substance use treatment under public or private insurance.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: Victim Services

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1136_enr.pdf

Bill No.: HB 18-1138

Title: Public Official Oaths and Affirmations

Sponsors: [Rep. J. Arndt](#) | [Sen. R. Zenzinger](#)

Summary: This bill creates a single uniform text for an oath or affirmation taken by public officials in the state. It also establishes requirements necessary to administer an oath or affirmation.

Position: Monitor

Status: 04/2/2018 | Governor Signed

Division Impacted: All

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1138_signed.pdf

Bill No.: HB 18-1143

Title: Unconstitutional Part Sexually Explicit Materials

Sponsors: [Rep. J. Arndt](#) | [Rep. D. Thurlow](#) | [Sen. D. Moreno](#) | [Sen. B. Martinez Humenik](#)

Summary: This bill repeals statutory provisions concerning sexually explicit material harmful to children that were declared unconstitutional by the Colorado Supreme Court in 1985. It also makes conforming amendments.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1143_01.pdf

Bill No.: HB 18-1156

Title: Limit Penalties for Juvenile Truancy

Sponsors: [Rep. P. Lee](#) | [Sen. C. Holbert](#)

Summary: This bill restricts the use of youth detention for youths who are habitually truant by requiring that:

- the court provides all procedural protections mandated in the Colorado Rules of Civil Procedure when instituting a contempt of court proceeding;
- a judge or magistrate, when issuing a warrant, allow for the release of the youth from temporary custody on an unsecured personal recognizance bond that is cosigned by a parent or guardian;
- any warrant that directs a youth be arrested must indicate that the arrest must occur during court hours;
- detention, as a sanction for contempt of court, only be used in the best interests of the youth and that specific factors be considered;
- any sentence to detention for contempt of court cannot be more than 48 hours; and
- truancy plans developed by school districts must use appropriate sanctions other than detention.

The bill also creates a rebuttable presumption that a youth must receive credit for time served and if the court rebuts this presumption, it must be explained on record. Finally, the bill clarifies that the Department of Human Services (DHS) can use its appropriation for services to juveniles on youth who are habitually truant and under the age of seventeen.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1156_enr.pdf

Bill No.: HB 18-1184

Title: Create Next Generation 911 Board

Sponsors: [Rep. T. Exum](#) | [Rep. P. Lawrence](#) | [Sen. I. Aguilar](#) | [Sen. B. Gardner](#)

Summary: This bill requires the Public Utilities Commission (PUC) to create and submit to the General Assembly a state of 911 report before September 15, 2018, and each year thereafter. The report must provide an overall understanding of the state of 911 in Colorado and at a minimum must include information on:

- the PUC's 911 related actions from the previous year and planned actions for the upcoming year;
- the current statewide structure, technology, and general operations of 911;
- 911 network reliability and resiliency;
- 911 gaps, vulnerabilities, and needs;
- the impact on and involvement of the state in federal activities and trends affecting 911;
- the state's planning for, transition to, and implementation of Next Generation 911, including a timeline for statewide implementation; and
- 911 funding and fiscal outlook, including the adequacy of current funding sources, and potential Next Generation 911 funding sources.

This report must be presented to the General Assembly by February 1, 2019, and each year thereafter.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: 911

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1184_enr.pdf

Bill No.: HB 18-1187

Title: Food and Drug Administration Cannabidiol Drug Use

Sponsors: [Rep. J. Buckner](#) | [Rep. L. Landgraf](#) | [Sen. J. Cooke](#) | [Sen. D. Moreno](#)

Summary: This bill amends the definition of "marijuana" to exclude prescription drug products approved by the federal Food and Drug Administration and dispensed by a pharmacy or prescription drug outlet registered in Colorado. The bill specifies that the change in definition does not restrict or otherwise affect regulation of or access to legalized marijuana or industrial hemp.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1187_enr.pdf

Bill No.: HB 18-1191

Title: Local Government Alter Speed Limits

Sponsors: [Rep. F. Winter](#) | [Sen. B. Martinez Humenik](#) | [Sen. J. Kefalas](#)

Summary: Under current law, counties and municipalities may change a speed limit on a local road if a traffic investigation or survey indicates a change is justified. This bill requires counties and municipalities to also consider the following criteria when adjusting speed limits on local roads:

- road characteristics;
- current and future development;
- environmental factors;
- parking practices;
- pedestrian and bicycle activity; and
- crash statistics.

Position: Monitor

Status: 04/23/2018 | Governor Signed

Division Impacted: Traffic Investigations Unit, Patrol Districts

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1191_signed.pdf

Bill No.: HB 18-1200

Title: Cybercrime Changes

Sponsors: [Rep. P. Lundeen](#) | [Rep. A. Garnett](#) | [Sen. D. Coram](#) | [Sen. R. Fields](#)

Summary: This bill replaces the term computer crime with cybercrime in the criminal code, adds definitions, and modifies the circumstances and classification of some such crimes.

Cybercrime criminal charges. Under current law, cybercrimes are generally classified as a class 2 misdemeanor; however, such crimes may be a petty offense up to a class 2 felony depending on the circumstances of the crime as determined by the amount lost, damaged, or stolen. This bill eliminates the petty offense and makes any cybercrime where amount lost, stolen, or damaged by the crime is less than \$300, a class 3 misdemeanor.

Class 5 felony cybercrimes. This bill also adds the following new crimes to the list of cybercrimes and classifies them as a class 5 felony:

- soliciting, arranging, or offering to arrange a situation in which a minor may engage in prostitution using a computer, computer network, or computer system;

- using a scanning device to read, obtain, memorize, or store information on a payment card for any period of time without authorization and with intent to defraud the authorized user, issuer of the card, or a merchant; and
 - using an encoding machine to place payment card information on another payment card with intent to defraud the authorized user, issuer of the card, or a merchant.
- Under this bill and current law, these cybercrimes could be classified as up to a class 2 felony depending on the circumstances of the crime.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1200_enr.pdf

Bill No.: HB 18-1204

Title: Financial Responsibility Drivers Motor Vehicles

Sponsors: [Rep. S. Beckman](#)

Summary: This bill requires the Department of Revenue (DOR) to suspend the driver license of any person who drives a motor vehicle without the required insurance policy, sets a multi-year fee for drivers who drive without insurance, and repeals the Motorist Insurance Identification Database.

Position: Monitor

Status: 03/8/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1204_01.pdf

Bill No.: HB 18-1212

Title: Freestanding Emergency Departments Licensure

Sponsors: [Rep. C. Kennedy](#) | [Rep. L. Landgraf](#) | [Sen. J. Kefalas](#)

Summary: This bill requires the Colorado Department of Public Health and Environment (CDPHE) to create a new health facility license for freestanding emergency departments and begin issuing these licenses by December 1, 2020. To continue operating in the state, freestanding emergency departments must be licensed by the CDPHE by July 1, 2021, except that certain facilities in rural areas that are exempted by the CDPHE may continue to operate under the existing community clinic license type. Under the bill, freestanding emergency departments are defined as health facilities that offer emergency care that are:

- owned or operated by, or affiliated with, a hospital or hospital system and are located

more than 250 yards from the main campus of the hospital; or

- independent from and not operated by or affiliated with a hospital or hospital system and are not attached to, contained within, or located within 250 yards of a hospital.

Freestanding emergency departments are allowed to provide primary and urgent care. The State Board of Health is required to adopt rules for the new license type, including licensure requirements, fees, standards for care and safety, and fine penalties for noncompliance. The bill prohibits freestanding emergency departments from charging patients a facility fee that is in excess of the costs reasonably related to the operating expenses of the facility or from charging any facility fee if the freestanding emergency department is unable to stabilize a patient and he or she must be transferred to a hospital. Licensed freestanding emergency departments must report annually to the Department of Health Care Policy and Financing (HCPF) on facility fees that they charge patients, and HCPF is required to analyze this data for one-third of freestanding emergency departments each year and to report to the CDPHE on any freestanding emergency departments that violate the provision of the bill for allowable facility fees.

Position: Monitor

Status: 05/1/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1212_ren.pdf

Bill No.: HB 18-1234

Title: Internet Sweepstakes Café Revise Legal Terms

Sponsors: [Rep. K. Becker](#) | [Rep. P. Lundeen](#) | [Sen. B. Gardner](#)

Summary: This bill clarifies the definitions of key terms related to simulated gambling and simulated gambling devices, and specifies that unlawful offering of a simulated gambling device can be direct or indirect, regardless of whether consideration in connection with such use, admission, or purchase is monetary or nonmonetary and regardless of whether it is paid or transferred before the simulated gambling device is used.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1234_enr.pdf

Bill No.: HB 18-1240

Title: Sunset Auto Theft Prevention Authority and Board

Sponsors: [Rep. J. Bridges](#) | [Rep. J. Becker](#) | [Sen. J. Cooke](#)

Summary: This sunset bill continues the Colorado Auto Theft Prevention Authority (CAPTA) program and the CAPTA board through September 1, 2029.

Position: Monitor

Status: 05/4/2018 | Governor Signed

Division Impacted: District Investigations

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1240_signed.pdf

Bill No.: HB 18-1243

Title: Civil Rape Shield Law

Sponsors: [Rep. M. Foote](#) | [Rep. C. Wist](#) | [Sen. D. Coram](#) | [Sen. R. Fields](#)

Summary: This bill extends the rape shield law that exists for criminal cases to apply to civil cases. If a party wants to introduce evidence concerning the victim's sexual conduct as specified in the bill, it must file a confidential motion with the court at least 63 days prior to trial, unless it is later for good cause shown. Prior to ruling on the motion, the court must hold an in-camera hearing and allow the parties and alleged victim to attend and provide testimony. If the court finds that the evidence is permissible, it must prescribe the nature of the evidence or questions to be permitted. All motions and related records must be kept under seal unless the court orders that the evidence is admissible. The court may issue a protective order concerning the release of information and may punish a violation of a protective order by contempt of court.

Position: Monitor

Status: 04/25/2018 | Governor Signed

Division Impacted: Major Crimes, Patrol District Investigations

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1243_signed.pdf

Bill No.: HB 18-1258

Title: Marijuana Accessory Consumption Establishments

Sponsors: [Rep. J. Singer](#) | [Rep. J. Melton](#) | [Sen. T. Neville](#) | [Sen. S. Fenberg](#)

Summary: As of January 1, 2019, this bill allows a retail marijuana store licensee to add an endorsement to its license to establish one marijuana accessory consumption establishment. The new endorsement is only available in jurisdictions that approve, through initiative or ordinance, such establishments, and is valid for one year.

At the marijuana accessory consumption establishment, customers 21 years and older may be served and consume a limited amount of marijuana, to be determined in rule by the Marijuana Enforcement Division (MED) in the Department of Revenue (DOR). The bill contains requirements for obtaining endorsements, authorizing an establishment, and required actions and prohibited actions for persons operating an establishment.

At point of sale, the establishment must provide information regarding the safe consumption of marijuana, which will be established by the Marijuana Education Oversight Committee in the Colorado Department of Public Health and Environment (CDPHE).

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1258_enr.pdf

Bill No.: HB 18-1259

Title: Marijuana Sample for Quality Product Development

Sponsors: [Rep. M. Gray](#) | [Sen. V. Marble](#)

Summary: This bill modifies the Medical Marijuana Code and the Retail Marijuana Code to allow certain licensed cultivation facilities and products manufacturers to provide samples to managers for quality control and product development purposes. For a manager to receive a sample of medical marijuana, the manager must have a valid medical marijuana registry identification card. The bill specifies sample sizes and quantity limits and requires that samples be tracked in the seed-to-sale tracking system. The sample cannot:

- be consumed on the licensed premises;
- allow the manager to exceed his or her personal possession limits;
- be used as a means of compensation for the manager; or
- be provided to or sold to anyone else.

The Marijuana Enforcement Division (MED) in the Department of Revenue may establish additional inventory tracking and record keeping requirements.

Position: Opposed

Status: 04/30/2018 | Governor Signed

Division Impacted: Investigative Support Division

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1259_signed.pdf

Bill No.: HB 18-1263

Title: Medical Marijuana Use for Autism and Acute Pain

Sponsors: [Rep. E. Hooton](#) | [Rep. J. Melton](#) | [Sen. D. Coram](#) | [Sen. S. Fenberg](#)

Summary: The bill creates a statutory right for a patient with Autism Spectrum Disorder (ASD) to use medical marijuana. The bill creates the same rights, limitations, affirmative defense, and exceptions from criminal laws for these conditions as the constitutional right to use medical marijuana for other debilitating conditions.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1263_rer.pdf

Bill No.: HB 18-1264

Title: Changes to Revenge Pornography Crimes

Sponsors: [Rep. D. Jackson](#) | [Rep. T. Carver](#) | [Sen. J. Cooke](#) | [Sen. R. Fields](#)

Summary: This bill modifies elements of existing crimes concerning the posting nude images of another person for purposes of harassment or for monetary gain. This bill:

- adds images of sex acts that may not include nude images;
 - removes the requirement that the defendant intend to inflict serious emotional distress;
 - removes as an exception to the crimes that the image relates to a newsworthy event;
- and
- clarifies that the images subject to the crimes may be disclosed by law enforcement personnel, human or social services personnel, prosecutors, and court personnel in the course of normal business.

Position: Monitor

Status: 05/3/2018 | Governor Signed

Division Impacted: Major Crimes

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1264_signed.pdf

Bill No.: HB 18-1272

Title: Network-level Distracted Driving Control Technology

Sponsors: [Rep. M. Foote](#) | [Rep. J. Melton](#) | [Sen. L. Court](#)

Summary: This bill requires the providers of commercial mobile radio service in Colorado to make network-level distraction control technology available to its customers for the purpose of limiting the distracting content on an authorized user's mobile electronic device while they are driving. Providers must create an interface that allows third parties to notify the provider that an authorized user is driving, and this interface must be made available to all third parties that meet certain standards outlined in the bill.

Providers must give reasonable notice to their customers that the network-level distraction control technology is available, and make the technology available at the customers' request. This technology must include the means by which a customer can override the blocking capabilities for emergency situations. Any vehicle information or other personal data collected as a part of the delivery of this technology cannot be retained, utilized, or disseminated without prior authorization by the customer.

Position: Monitor

Status: 04/25/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1272_ren.pdf

Bill No.: HB 18-1279

Title: Electronic Prescribing Controlled Substances

Sponsors: [Rep. D. Esgar](#) | [Sen. K. Priola](#) | [Sen. D. Moreno](#)

Summary: This bill requires that physicians, dentists, physician assistants, podiatrists, optometrists, and advanced practice nurses prescribe controlled substances only via a prescription that is transmitted electronically to a pharmacy, with certain exceptions. For most prescribers, this requirement begins on July 1, 2021. For dentists and prescribers who work in solo practice or in rural areas, the requirement begins on July 1, 2022. The requirement applies to the aforementioned prescribers except when:

- the prescriber issues 24 or fewer prescriptions per year;
- electronic prescribing is not available due to technological or electrical failure;
- the prescription is to be dispensed at a pharmacy located outside of the state;
- the prescriber is dispensing the controlled substance directly to the patient;
- the prescription includes elements that are not supported in the most recent version of the National Council for Prescription Drug Programs SCRIPT Standard;
- the federal Food and Drug Administration does not allow a prescription with certain elements to be prescribed electronically;
- the prescription is not specific to an individual patient and allows the dispensing of a controlled substance under standing orders or similar group medication plans, in response to a public health emergency, or other allowable circumstance where a

prescription is not specific to an individual patient;
 • the prescription is issued under a research protocol;

- the controlled substance is to be administered to a patient in a hospital, nursing care home, hospice facility, dialysis treatment clinic, assisted living residence, or to a person in the custody of the Department of Corrections; or
- the prescriber reasonably determines that the patient would be unable to obtain controlled substances in a timely manner and that his or her medical condition would be adversely affected if a prescription is issued electronically.

The requirement to prescribe electronically is monitored via questionnaires administered by each profession's regulatory board, and failure to prescribe electronically or to truthfully respond to the survey constitutes unprofessional conduct that may result in a disciplinary action against the health care provider. A pharmacy is not required to verify whether a non-electronic prescription conforms with one of the allowable exceptions and may fill the prescription as allowed under law. Lastly, the bill repeals several provisions of Senate Bill 18-022 that, if enacted, clarify health care provider's ability to voluntarily prescribe opioid medication electronically.

Position: Monitor

Status: 04/25/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1279_ren.pdf

Bill No.: HB 18-1280

Title: Court Appointees for Marijuana Businesses

Sponsors: [Rep. J. Melton](#) | [Sen. D. Coram](#)

Summary: Current law does not directly address requirements for court-appointed receiverships or similar situations related to a person taking possession of, operating, managing, or controlling a licensed marijuana business. This bill requires an individual to first certify to the appointing court that he or she is not prohibited from holding a marijuana license before being appointed a receiver of a marijuana business. Once appointed, the receiver must notify the Marijuana Enforcement Division (MED) of the appointment. The MED is required to issue a temporary registration to the appointee, which may be subject to administrative action if the appointee fails to comply with state marijuana laws or regulations. The MED may promulgate rules to address registration requirements.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1280_enr.pdf

Bill No.: HB 17-1286

Title: School Nurse Give Medical Marijuana at School

Sponsors: [Rep. D. Roberts](#) | [Sen. I. Aguilar](#) | [Sen. V. Marble](#)

Summary: Under current law, a primary caregiver may possess and administer medical marijuana to a student at school. The student must have a valid recommendation for medical marijuana and the marijuana must be in non-smokeable form. The primary caregiver must remove any remaining medical marijuana from the school grounds after administering it.

The bill allows a school nurse, school nurse's designee, or school personnel designated by a parent to also administer the medical marijuana to a student and provides an exception from criminal laws related to marijuana for this purpose. The bill specifies that school nurses or school personnel are not required to administer medical marijuana and that the bill does not apply during school activities that take place out of state.

The medical marijuana must be kept in a locked storage container and the school and student's parent must agree on a written plan for administration of medical marijuana prior to the student starting school. Either the container or administration plan must clearly label dosing, timing, and delivery instructions from the recommending physicians.

The student's parent or primary caregiver must deliver the medical marijuana to the person designated to administer it. The student may not handle the medical marijuana on school grounds, including on a school bus or a school-sponsored event.

Position: Monitor

Status: Awaiting action from Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1286_enr.pdf

Bill No.: HB 18-1287

Title: Reauthorize Commission Criminal and Juvenile Justice

Sponsors: [Rep. M. Weissman](#) | [Sen. J. Cooke](#) | [Sen. D. Kagan](#)

Summary: This bill extends the repeal of the Colorado Commission on Criminal and Juvenile Justice (CCJJ) from July 1, 2018, to July 1, 2028.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1287_enr.pdf

Bill No.: HB 18-1292

Title: Pilot Program Assistance Person Experiencing Homelessness

Sponsors: [Rep. H. McKean](#) | [Rep. P. Rosenthal](#) | [Sen. L. Court](#) | [Sen. K. Priola](#)

Summary: This bill creates the State Access to Resources and Training (START) Grant Program in the Department of Local Affairs (DOLA) to provide public safety, social services, and nonprofit agencies with funding to provide assistance personnel and to develop community-centered services to persons experiencing homelessness. Grants cannot be used for direct assistance to persons experiencing homelessness. DOLA must create rules, procedures and timelines for the grant application process. By March 15, 2019, DOLA must select and award grant funding, subject to available appropriations, to between 5 and 10 organizations of up to \$25,000 per recipient. The bill allows Marijuana Tax Cash Fund moneys to be appropriated for the grant program. Grant recipients must report on the use of grant funds to DOLA by December 1, 2020, and DOLA must present the results of the grant program to its legislative oversight committee of reference at the start of the 2021 session. The START Grant Program is repealed on June 30, 2021.

Position: Monitor

Status: 05/2/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1292_ren.pdf

Bill No.: HB 18-1296

Title: Unattended Motor Vehicles Remote Starter Systems

Sponsors: [Rep. J. Melton](#) | [Rep. J. Everett](#) | [Sen. V. Marble](#) | [Sen. D. Moreno](#)

Summary: This bill allows a person to leave their car unattended and running if they use a remote starter system or utilizes an adequate security measure. Adequate security measures include:

- using a vehicle that requires a key to move or put the vehicle into gear;
- keeping a keyless start fob out of the car; or
- using a steering wheel security device.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1296_enr.pdf

Bill No.: HB 18-1299

Title: Electronic Filing Title Registration Motor Vehicle

Sponsors: [Rep. J. Bridges](#) | [Rep. P. Neville](#) | [Sen. R. Scott](#) | [Sen. R. Zenzinger](#)

Summary: Under current law, the Department of Revenue (DOR) may establish a system to allow the electronic transmission of registration, lien, and titling information for motor vehicles. To implement this system, the bill allows the DOR to adopt rules to: maintain titling information electronically; accept electronic signatures on any documents; eliminate any notarization requirements for document signatures; allow all parties to electronically file and release lien information; and authorize third-party providers to process registration, lien, and titling information on behalf of a business entity.

Third-party title and registration transactions. The DOR's approval of third-party providers to register a vehicle, file or release liens, or issue a vehicle title must be evidenced by an agreement between the third-party and the DOR. Third-party providers may charge a vendor fee for electronic registration, lien, or titling transactions. To implement these provisions, the bill requires the DOR to use gifts, grants, or donations.

Rental company titling. This bill allows a motor vehicle rental company to obtain a title without a manufacturer's certificate of origin if the business presents an electronic manufacturer's statement of origin to the DOR and submits a signed affidavit attesting that the motor vehicle is new and has not been issued a title.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1299_rer.pdf

Bill No.: HB 18-1314

Title: Drone Interference with Public Safety Operations

Sponsors: [Rep. J. Ginal](#) | [Rep. P. Lawrence](#) | [Sen. J. Cooke](#)

Summary: Under this bill, it is a class 2 misdemeanor offense to obstruct a peace officer, firefighter, emergency medical service provider, rescue specialist, or volunteer with an unmanned aircraft system, commonly referred to as a drone, in a manner that obstructs, impairs, or hinders emergency public safety operations.

Position: Support

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1314_enr.pdf

Bill No.: HB 18-1317

Title: Exempt Nonprofits for Use of Electronic Gaming Machines

Sponsors: [Rep. J. Reyher](#)

Summary: **Section 1** of the bill limits the application of recent legislation prohibiting the offering of simulated gambling devices to exempt a bona fide nonprofit entity that holds a bingo-raffle license and that offers the use of electronic gaming machines.

Section 2 makes a conforming change to the definition of a "game of chance" in the laws governing bingo and raffles.

Position: Monitor

Status: 04/3/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1317_01.pdf

Bill No.: HB 18-1325

Title: Digital Trunked Radio System Coverage Gaps

Sponsors: [Rep. M. Hamner](#) | [Rep. B. Rankin](#) | [Sen. K. Lambert](#)

Summary: The bill expands the allowable use of the Public Safety Communications Trust Fund and directs OIT to use money in the trust fund to work in partnership with local and regional government entities to build additional radio towers in areas of the state that experience critical coverage gaps for public safety radio communications. Under current law, monies in the trust fund may be expended to replace legacy equipment and hardware at radio tower sites and for software upgrades. The bill directs a \$2.0 million General Fund appropriation for FY 2018-19 and FY 2019-20 to the trust fund. The bill further directs a \$2.0 million appropriation from the trust fund to OIT in FY 2018-19.

Position: Monitor

Status: 04/30/2018 | Governor Signed

Division Impacted: All Units and Divisions

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1325_signed.pdf

Bill No.: HB 18-1336

Title: Repeal Local Government Retail Marijuana Impact Grant Program

Sponsors: [Rep. D. Young](#) | [Sen. K. Lambert](#)

Summary: This bill repeals the Local Government Retail Marijuana Impact Grant Program administered by the Department of Local Affairs (DOLA) as of July 1, 2019. Effective July 1, 2018, the bill removes the ability of Marijuana Tax Cash Fund moneys to be used for the grant program.

Position: Monitor

Status: 04/30/2018 | Governor Signed

Division Impacted: Investigative Support Division, Patrol District Investigations

Effective Date: July 1, 2018

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1336_signed.pdf

Bill No.: HB 18-1356

Title: Add Cross Reference to Failure to Register Crime

Sponsors: [Rep. D. Thurlow](#) | [Sen. D. Moreno](#)

Summary: This bill adds non-substantive cross references in statute concerning the crime of failure to register as a sex offender.

Position: Monitor

Status: Awaiting action from Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1356_enr.pdf

Bill No.: HB 18-1362

Title: Drunk and Impaired Driving Task Force Membership

Sponsors: [Rep. J. Arndt](#) | [Sen. J. Tate](#)

Summary: This bill adds a representative from the Department of Revenue's (DOR) Marijuana Enforcement Division, appointed by the executive director of DOR, to the Colorado Task Force on Drunk and Impaired Driving.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1362_enr.pdf

Bill No.: HB 18-1381

Title: Permissive Medical Marijuana Vertical Integration

Sponsors: [Rep. M. Gray](#) | [Rep. K. Van Winkle](#) | [Sen. T. Neville](#) | [Sen. C. Jahn](#)

Summary: Under current law, a medical marijuana center must source 70 percent of the medical marijuana it sells from its associated optional premises cultivation facility. Similarly, an optional premises cultivation facility must have 70 percent of the medical marijuana it cultivates sold through its associated medical marijuana center. This bill eliminates this requirement and allows medical marijuana centers to source medical marijuana from any optional premises cultivation facility after a one-year transition period. In the first year of the transition period, FY 2018-19, the sourcing requirement is reduced to 50 percent. Beginning July 1, 2019, there is no sourcing requirement for medical marijuana businesses, and medical marijuana centers are permitted to sell medical marijuana acquired from any optional premises cultivation facility licensee or medical marijuana-infused products manufacturer licensee.

Under the bill, the possession limit for an optional premises cultivation facility is no longer tied to the number of patients registered at the associated medical marijuana center; however, patients are still required to register with a center. A medical marijuana center can sell more than two ounces to a patient if that patient has a recommended extended ounce count from his or her physician and registers with the medical marijuana center as his or her primary center. The patient must also sign an affidavit that he or she does not have a primary caregiver cultivating medical marijuana on his or her behalf.

Finally, the bill requires the Marijuana Enforcement Division (MED) in the Department of Revenue (DOR) to adopt a production management system similar to the system in the retail marijuana code.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1381_enr.pdf

Bill No.: HB 18-1391

Title: Sexual Misconduct in Higher Education

Sponsors: [Rep. C. Duran](#) | [Rep. F. Winter](#) | [Sen. B. Martinez Humenik](#) | [Sen. A. Kerr](#)

Summary: The bill requires that institutions of higher education adopt

sexual misconduct policies for enrolled students. Policies must be adopted by August 1, 2019, updated periodically, and include the following:

- definitions consistent with federal law;
- confidential and nonconfidential reporting options for sexual misconduct;
- an explanation of the role of the institution in response to a report and violation;
- procedures for investigating reports of sexual misconduct that meet certain criteria;
- prohibitions on certain actions, such as retaliation or consideration of prior, irrelevant sexual conduct;
- protection from disciplinary action against a complainant, or witness, for policy violations such as consumption of alcohol or drugs; and
- an appeal process that applies to both the complainant and the accused.

Support services. Each institution must provide information to students on how to access support regarding sexual misconduct. A faculty or staff member may fill this role, as long as the individual is not the institution's Title IX coordinator, or the institution may designate an outside entity to provide support. Institutions with fewer than 1,000 students may partner with another institution to provide support services.

Training. Each institution must offer annual training to new students and staff about the institution's sexual misconduct policy, the resources available to students, and awareness and prevention of sexual misconduct. The bill specifies what may be included in the training and that information on the policy and sexual misconduct prevention must also be displayed on the institution's website and annually distributed through email or other means of communication.

Reporting. By January 1, 2019 and each subsequent year, institutions must provide to the Department of Higher Education (DHE) their policy or any updates to the policy, and a description of the training provided, to be posted on DHE's website.

DHE must convene a planning committee to host biennial summits on sexual misconduct on institution campuses for interested persons to facilitate communication, share information, and hear from experts as it relates to awareness and prevention of sexual misconduct. The bill specifies the membership and appointment procedures of the ten-person committee, which, by January 15 in the year following a summit, must report to the education committees of the General Assembly a summary of events, attendees, outcomes, and recommendations.

Position: Monitor

Status: 05/1/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1391_ren.pdf

Bill No.: HB 18-1394

Title: Update Colorado Disaster Emergency Act

Sponsors: [Rep. J. Singer](#) | [Rep. H. McKean](#) | [Sen. J. Kefalas](#) | [Sen. J. Cooke](#)

Summary: This bill adds statutory definitions regarding emergency management, mitigation, recovery, resiliency, and response; makes technical changes related to state and local emergency agencies; and replaces outdated emergency management terminology.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1394_rer.pdf

Bill No.: HB 18-1404

Title: Peace Officer Internal Investigation Open Records

Sponsors: [Rep. J. Coleman](#) | [Rep. D. Williams](#) | [Sen. V. Marble](#) | [Sen. K. Lundberg](#)

Summary: This bill clarifies the process for denying access to public records. Prior to determining whether disclosure is contrary to the public interest, the custodian must perform an individualized analysis of each of the specific records requested by balancing:

- the privacy interests of the individual who may be impacted by a decision to allow inspection;
- the agency's interest in keeping confidential information confidential;
- the agency's interest in pursuing ongoing investigations without compromising them;
- the public purpose to be served in allowing inspection; and
- other pertinent considerations relevant to the particular request.

With respect to records for an internal investigation related to the on-duty or in-uniform conduct of a peace officer involving a member of the public, the custodian must adhere to the following principles:

- there is a compelling public interest in public inspection of completed internal investigation files related to a peace officer's on-duty or in-uniform conduct involving a member of the public;
- public access to internal investigation files enhances the effectiveness of internal investigations, rather than impairing them;
- transparency enhances public confidence in the agency; and
- peace officers do not have a reasonable expectation of privacy in on-duty or in-uniform conduct involving a member of the public.

If, after performing the balancing test described above, the custodian makes a preliminary determination that the factors weigh against release, the custodian must consider whether redaction satisfies the objective of disclosure while also addressing privacy concerns. Redaction must be done sparingly in order to maximize the amount of information available to the public. The custodian may also deny disclosure of a portion or the entire record. If the custodian denies disclosure of records, he or she must provide the requester with a written explanation of the basis of the denial upon request.

The bill also clarifies that any local policy, rule, or ordinance that prohibits the disclosure of records of closed internal investigations related to on-duty or in-uniform conduct of a peace officer involving a member of the public is unenforceable, except in specified circumstances.

Position: Monitor

Status: 05/4/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1404_ren.pdf

Bill No.: HB 18-1406

Title: Driver's Licenses and Judgments for Traffic Regulations

Sponsors: [Rep. M. Foote](#) | [Rep. M. Weissman](#)

Summary: Under current law, an individual cited for certain traffic infractions must either pay the penalty assessment or appear in court for a hearing. If the individual fails to do either, the court may issue a judgment or warrant against them. Individuals with an outstanding judgment or warrant may not receive a new or renewed driver license, and the Department of Revenue (DOR) may cancel the driver license.

This bill prohibits the DOR from denying or canceling a driver license when an applicant or license holder has an outstanding judgment or warrant issued for failure to pay a penalty or appear at a post-sentencing court appearance, or failure to pay a public transportation fare. Additionally, it creates a \$30 administrative fee that is assessed when a judgment is entered against someone for failing to pay a traffic infraction penalty. If this fee is not paid within 45 days, violators must also pay a \$95 outstanding judgement fee. The bill requires the court to send a written notice of a judgment to a violator, outlining all penalties and fees owed.

Position: Monitor

Status: 05/10/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1406_01.pdf

Bill No.: HB 18-1408

Title: Clarifying Rape from Sexual Assault at Sentencing

Sponsors: [Rep. D. Michaelson Jenet](#) | [Rep. A. Benavidez](#) | [Sen. R. Fields](#)

Summary: When sentencing a defendant convicted of a sex offense, this bill requires a court to make specific findings of fact regarding the act and enter a finding of rape if it determines that an act of sexual intrusion or sexual penetration occurred as an element of the crime.

Position: Monitor

Status: 04/24/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1408_01.pdf

Bill No.: HB 18-1409

Title: Crime Survivors Grant Program and Presumptive Parole

Sponsors: [Rep. P. Lee](#) | [Rep. L. Herod](#) | [Sen. K. Lundberg](#) | [Sen. R. Fields](#)

Summary: This bill creates the Community Crime Victims Grant Program in the Colorado Department of Public Health and Environment (CDPHE). This program is intended to provide funding to entities that provide support services and other interventions to crime victims and a victim's immediate family. On or before July 1, 2018, the CDPHE must develop policies for the administration of the program, including a competitive bid process for a nonprofit third-party administrator, which must be selected by September 2, 2018, and under contract by January 1, 2019. The bill specifies requirements for the administrator, grantees, and how the program should be operated. The grant administrator is required to develop, subject to approval by the CDPHE:

- a competitive request for proposal process and timeline for eligible entities to apply for a grant;
- a process for determining the amount of each grant that is awarded; and
- performance metrics and data collection for grantees.

A grant applicant must demonstrate that it has or will have a screening tool or screening process in place so that a credible determination can be made that the person seeking services has been a victim of crime. The grant program is repealed on September 1, 2023. Prior to its repeal, the Department of Regulatory Agencies (DORA) is required to conduct a sunset review of the program.

The bill repeals an appropriation made to the Department of Local Affairs of \$1,761,140 from the Parole Savings Fund. This fund is repealed, which results in those moneys being returned to the General Fund. The bill appropriates \$880,570 General Fund to the CDPHE for FY 2018-19.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1409_enr.pdf

Bill No.: HB 18-1422

Title: Marijuana Testing Facilities Standards

Sponsors: [Rep. M. Gray](#) | [Sen. C. Jahn](#)

Summary: The bill requires that a medical or retail marijuana testing facility be accredited pursuant to the International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17025:2005 standard, or a subsequent superseding standard, in order to receive or maintain licensure by January 1, 2019. The Marijuana Enforcement Division (MED) of the Department of Revenue (DOR) may allow extensions in rule for a:

- newly licensed testing facility for a period not to exceed 12 months; or
- good cause defined in rule including when accreditation is pending.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1422_rer.pdf

Bill No.: HB 18-1436

Title: Extreme Risk Protection Orders

Sponsors: [Rep. A. Garnett](#) | [Rep. C. Wist](#) | [Sen. L. Court](#)

Summary: This bill creates procedures for courts to issue an extreme risk protection order to require an individual to surrender all firearms until the order expires or is terminated. A family or household member, as well as a law enforcement agency, may petition the court to issue an extreme risk protection order. The bill waives any fees associated with filing a petition. An extreme risk protection order has a 182-day duration and can be renewed within 63 days of the expiration of the order. The bill allows law enforcement to also file for a search warrant to find any firearms that may be in possession of the individual but were not surrendered. During the 182-day duration of the extreme risk protection order, a respondent may file a one-time written request with the court to terminate the order to show that he or she does not pose a significant risk of causing injury. The state court administrator must develop a standard petition form by January 1, 2019.

Temporary extreme risk protection order. The bill allows family or household members or a law enforcement agency to petition the court for a temporary extreme risk protection order without notice to the respondent. If the court finds that the respondent poses a significant risk of causing personal injury to themselves or others by having firearms, the court must issue a temporary extreme risk protection order and schedule a hearing for an extreme risk protection order within 7 days.

Surrender of firearms. When a respondent is issued a temporary extreme risk protection order or extreme risk protection order, the respondent must surrender his or her firearms by selling or transferring the firearms to a federally registered dealer or by surrendering it to law enforcement, which must store the firearm. A respondent must also surrender his or her concealed carry permit. If a respondent does not surrender his or her firearms, they commit a class 2 misdemeanor.

Position: Monitor

Status: 05/7/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1436_ren.pdf

Bill No.: HB 18-1441

Title: 500-feet-from-school Limit for Beer Code Retailers

Sponsors: [Rep. T. Kraft-Tharp](#) | [Rep. C. Wist](#) | [Sen. C. Holbert](#) | [Sen. L. Guzman](#)

Summary: Under current law, a state or local liquor licensing authority may not receive or act on an application for a liquor license issued under the Colorado Liquor Code for a location that is within 500 feet of a school, university, or seminary. There are limited exceptions to the prohibition and a local government may eliminate or modify those distance restrictions. The bill applies the same distance restrictions, exceptions, and local government authority to applications for fermented malt beverage (FMB) retailer licenses, which are issued under the Colorado Beer Code.

Position: Monitor

Status: Awaiting action by Governor

Division/Unit Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_1441_enr.pdf

Bill No.: SB 18-022

Title: Clinical Practice for Opioid Prescribing

Sponsors: [Sen. J. Tate](#) | [Sen. I. Aguilar](#) | [Rep. B. Pettersen](#) | [Rep. C. Kennedy](#)

Summary: This bill limits to a seven-day supply, the number of opioid pills that a health care provider including physicians, physician assistants, advanced practice nurses, dentists, optometrists, podiatrists, and veterinarians, may prescribe to a patient if the patient has not been prescribed an opioid by the provider in the past 12 months. At the discretion of the provider, the prescription may include one refill for an additional seven-day supply. With certain exceptions, the bill also requires health care providers or their designees, to query the Prescription Drug Monitoring Program (PDMP) prior to prescribing the first refill prescription for an opioid. The bill includes a number of exceptions to the 7-day limitation and allows for a health care provider to electronically prescribe opioids. A violation of the provisions does not constitute negligence or contributory negligence per se and does not create a private right of action or serve as the basis of a cause of action. When initially querying the PDMP, each health care provider or designee is required to identify his or her area of health care specialty or practice. The provisions of the bill above are repealed September 1, 2021.

By September 1, 2019, the Department of Public Health and Environment is required to report its findings to the General Assembly from studies conducted on PDMP integration methods and health care provider report cards. The department is also required to provide the findings to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center. The center is required To use the information to provide voluntary training for health care providers in targeted areas. These provisions are repealed July 1, 2020.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_022_enr.pdf

Bill No.: SB 18-026

Title: Make Sex Offender Registration More Effective

Sponsors: [Sen. D. Kagan](#) | [Rep. L. Herod](#) | [Rep. P. Lee](#) | [Rep. Y. Willett](#)

Summary: This bill adjusts requirements for the state's sex offender registry. It removes the requirement that a sex offender register in Colorado when the person's duty to register in the state or jurisdiction of conviction has been lawfully discontinued. In this case, a person may petition the court for an order that discontinues the requirement to register in Colorado.

Local sex offender registration procedures. After the initial registration, the bill allows a local law enforcement agency to waive the requirement that registration be conducted in person when the registrant has medical records that document a chronic physical or intellectual disability that creates a severe hardship for registering in person. The local law enforcement agency must reregister the offender after it verifies the registrant's address and provides written verification of the waiver to the CBI and other law enforcement agencies with which the registrant is required to register. Any agency that issues a waiver must determine that the registrant still meets the waiver requirements and reauthorize the waiver every three years. If the law enforcement agency issues or reauthorizes such as a waiver, it must also notify the victim of the offense if he or she has requested notice and provided contact information.

Removal from the sex offender registry. Under current law, specified registrants can petition the court to discontinue their registration. The bill clarifies that the court is required to grant a petition if the registrant has successfully completed his or her sentence, has not been convicted of a subsequent sex offense, and the required waiting period has expired, unless the victim or district attorney objects and the district attorney provides credible evidence that the registrant is likely to commit a subsequent offense of unlawful sexual behavior. The bill specifies time frames and procedures for resolving objections and making required notifications.

The bill also allows a registrant or her or her legal representative to file a petition to discontinue registration if he or she is incapacitated and is unlikely to commit a subsequent sex offense, with similar procedures for resolving objections and making required notifications to the district attorney and victim.

Upon receipt of a copy of any order discontinuing a person's duty to register as a sex offender, the Colorado Bureau of Investigation (CBI) and the local law enforcement agency must remove the person's information from the state and local sex offender registries.

Position: Monitor

Status: 04/23/2018 | Governor Signed

Division Impacted: Major Crimes

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, except if a referendum petition is filed).

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_026_signed.pdf

Bill No.: SB 18-028

Title: Motor Vehicle License Plate Mounting Requirements

Sponsors: [Sen. R. Scott](#) | [Rep. J. Bridges](#)

Summary: This bill modifies the mounting requirements for front license plates. The bill removes the requirement that the front license plate should be at least 12 inches from the ground, and specifies that the front license plate can be anywhere that is clearly visible and legible.

Position: Support

Status: 03/29/2018 | Governor Signed

Division Impacted: Patrol, Traffic Division

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_028_signed.pdf

Bill No.: SB 18-029

Title: Development of Marijuana Tracking Technology

Sponsors: [Sen. K. Lambert](#) | [Sen. L. Garcia](#) | [Rep. D. Pabon](#) | [Rep. Y. Willett](#)

Summary: The bill requires the institute of cannabis research at Colorado state university - Pueblo (institute) to develop marijuana tracking technology (technology). The technology must include an agent that is applied to a marijuana plant, marijuana product, industrial hemp, or industrial hemp product and then scanned by a device. The scan, at a minimum, would indicate whether the marijuana or hemp was cultivated, manufactured, or sold by a licensed marijuana business or registered hemp cultivator. The institute shall select a vendor to develop the technology. After the technology is developed, the state licensing authority must be satisfied that the technology provides an effective means of tracking marijuana. After the state licensing authority determines the technology is an effective means of tracking marijuana, it shall promulgate rules that require the technology to be used by licensed marijuana businesses, and the commissioner of the department of agriculture shall promulgate rules that require registered industrial hemp cultivators to use the technology. The technology that scans the marijuana must be made available to law enforcement and the department of revenue.

The bill clarifies that the gray and black market marijuana enforcement grant program could award grants to law enforcement

agencies to purchase the marijuana scanning technology.

Position: Monitor

Status: 02/7/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_029_01.pdf

Bill No.: SB 18-040

Title: Substance Use Disorder Harm Reduction

Sponsors: [Sen. K. Lambert](#) | [Sen. C. Jahn](#) | [Rep. J. Singer](#)

Summary: This bill enacts several harm reduction measures concerning opioid and injection drug use. First, the bill establishes a pilot program in the City and County of Denver for a single supervised injection facility at which persons may inject previously obtained drugs under medical supervision. Civil and criminal immunity is granted to persons using drugs at the site and to staff and volunteers working at the facility. The supervised injection facility must be approved by the Denver Board of Health and may be operated by a contractor under the supervision of the Denver Public Health Agency. The pilot program ends on September 1, 2022. Second, the bill allows hospitals to serve as clean syringe exchange program locations. Civil immunity is granted to individuals provided a clean syringe under a hospital-based exchange program. Third, the bill allows school districts and nonpublic schools to develop policies for obtaining opiate antagonists and allowing trained school employees to use these drugs in the event of an opioid-related overdose event. Lastly, the bill requires the Colorado Commission on Criminal and Juvenile Justice (CCJJ) in the Department of Public Safety to study criminal sentencing relating to opioids and synthetic opiates and present its findings in its annual report.

Position: Monitor

Status: 02/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_040_01.pdf

Bill No.: SB 18-049

Title: Use of Mobile Electronic Devices While Driving

Sponsors: [Sen. L. Court](#) | [Rep. J. Melton](#)

Summary: Current law prohibits drivers 18 years of age and over from texting while driving and drivers under the age of 18 from using a wireless telephone while driving. This bill prohibits the use of all electronic mobile devices while driving unless the driver is over the age of 18 and using a

hands-free device. An exception is made for individuals using an electronic mobile device while their vehicle is lawfully at rest and for law enforcement officers using a device within the scope of their duties. The bill increases the fine for violations committed by drivers under the age of 18 from \$50 to \$300. It also repeals the provision that an individual commits a class 1 misdemeanor traffic offense if they causes bodily injury or death to another because they were texting and driving.

Position: Monitor

Status: 01/24/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_049_01.pdf

Bill No.: SB 18-050

Title: Free-standing Emergency Facility as Safe Haven

Sponsors: [Sen. J. Smallwood](#) | [Rep. J. Coleman](#) | [Rep. M. Catlin](#)

Summary: Under current law, fire stations and hospitals are safe havens in which staff are allowed to take temporary custody of infants 72 hours old or younger when the infant is voluntarily surrendered by a parent. This bill adds community clinic emergency centers to the list of safe haven facilities. This bill also defines a community clinic emergency center as a center that is licensed by the Department of Public Health and Environment, is not attached to or affiliated with a hospital, and provides emergency services 24-hours a day, 7 days a week unless demand for services does not require being open as frequently.

Position: Monitor

Status: 03/7/2018 | Governor Signed

Division Impacted: All Districts, Divisions, and Units

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_050_signed.pdf

Bill No.: SB 18-051

Title: Prohibit Multi-burst Trigger Activators

Sponsors: [Sen. M. Merrifield](#)

Summary: This bill defines "multi-burst trigger activator", commonly known as bump stocks, and makes possessing, selling, or purchasing one a class 5 felony and each subsequent offense a class 4 felony.

Position: Monitor

Status: 03/19/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_051_01.pdf

Bill No.: SB 18-053

Title: Primary Offense for No Safety Belt

Sponsors: [Sen. L. Court](#) | [Rep. D. Young](#)

Summary: Under current law, every front seat passenger in a motor vehicle must wear a seatbelt, but law enforcement cannot pull someone over on the grounds of a seatbelt violation. This bill makes a seatbelt violation a primary offense and requires all passengers in a motor vehicle to wear seatbelts while the vehicle is in motion.

Position: Monitor

Status: 01/24/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_053_01.pdf

Bill No.: SB 18-058

Title: Failure Report Child Abuse Statute of Limitations

Sponsors: [Sen. R. Fields](#) | [Rep. T. Carver](#)

Summary: Under current law, the failure to report child abuse or neglect is a class 3 misdemeanor and the 18-month statute of limitations begins upon the commission of the crime. Under this bill, the statute of limitations begins upon the discovery of the criminal or delinquent act.

Position: Monitor

Status: 02/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_058_01.pdf

Bill No.: SB 18-059

Title: Public Safety Information-sharing System

Sponsors: [Sen. R. Fields](#) | [Rep. D. Pabon](#)

Summary: This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information-Sharing Grant Program. The program is to provide grants to any state or governmental entity or separate legal entity formed by an intergovernmental agreement for the purpose of:

- enhancing, maintaining, operating, or improving any existing statewide law enforcement, public safety, or criminal justice information-sharing system;
- assisting law enforcement, public safety, and criminal justice agencies in gaining access to the information-sharing system;
- increasing communication, interoperability, or data sharing among law enforcement, public safety, and criminal justice agencies; or
- to provide grants to other law enforcement, public safety, and criminal justice agencies that want to participate in the information-sharing system.

Grant Cash fund and appropriation. This bill creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund (grant fund) and includes an appropriation of \$1.0 million to the grant fund from the Marijuana Tax Cash Fund in FY 2018-19. All unexpended monies in the grant fund must be transferred to the General Fund on July 1, 2021.

Grant administration and awards. This grant program will be administered by the Division of Homeland Security and Emergency Management in the Department of Public Safety (DPS). The DPS is authorized to promulgate grant program rules and award a grant based on the applicant's ability to serve law enforcement, public safety, and criminal justice agencies statewide and to operate and maintain a law enforcement information-sharing system. Award announcements must be posted on the DPS website within one day after selection and parties may contest such selections as specified in the bill. The DPS is authorized to spend up to 5 percent on the administration of the grant.

Grant applicant open-bid process. Any grant applicant intending to contract with an independent contractor or vendor as part of a grant application of \$50,000 or more must first facilitate an open-bid request for proposal process.

Grant recipient agreement. Each grant recipient must agree to: submit to an audit by the state auditor on the use of any grant money, if such an audit is requested by the General Assembly; and report annually to the DPS.

Position: Monitor

Status: 05/1/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_059_ren.pdf

Bill No.: SB 18-060

Title: Protective Orders in Criminal Cases

Sponsors: [Sen. D. Coram](#) | [Rep. M. Hamner](#)

Summary: Under current law, in domestic violence cases and in other cases involving certain crimes, the court may grant various protective orders against the defendant that require the defendant to refrain from certain actions, such as contact with a victim or alcohol consumption. This bill adds two protective orders to the list of orders the court may grant. The first protective order prohibits the taking or harming of an animal owned by the alleged victim or witness. The second protective order directs a wireless company to transfer financial responsibility and rights to a wireless number to the petitioner if the petitioner is not the account holder and the petitioner proves that he or she and any minor child under his or her care are the primary users of the number. This order may be granted upon a discretionary motion of the district attorney or the court's own motion. The wireless provider is immune from civil liability for complying with such an order.

Position: Monitor

Status: 03/22/2018 | Governor Signed

Division Impacted: Major Crimes, Patrol, District Investigations

Effective Date: This act takes effect November 1, 2018; except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_060_signed.pdf

Bill No.: SB 18-067

Title: Auction Alcohol in Sealed Container Special Events

Sponsors: [Sen. R. Zenzinger](#) | [Sen. K. Priola](#) | [Rep. T. Kraft-Tharp](#) | [Rep. K. Van Winkle](#)

Summary: Under the bill, organizations holding a special event permit for an event held on either licensed or unlicensed premises may auction sealed containers of alcohol for off-premises consumption, for fundraising purposes. The permit holder, and licensee or person on whose premises the event is held must ensure that auctioned alcohol remains sealed at all times while on the premises.

A licensed retailer who donates alcohol for the special event is not liable for any violation involving the donated alcohol or committed at the event, as long as the retailer was not involved. The state and local licensing authorities must consider mitigating factors in determining whether to hold a licensee on whose premises the event was held responsible for violations that were committed by the organization hosting event on the licensee premises.

In addition, the licensee or person on whose premises the event is held may not require any compensation related to the auction, and the value of donated alcohol does not count against the licensee's annual limit on purchases from the donating retailers.

Position: Monitor

Status: 03/1/2018 | Governor Signed

Division Impacted: Patrol Districts, Investigative Support Division

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_067_signed.pdf

Bill No.: SB 18-068

Title: False Reporting of An Emergency

Sponsors: [Sen. J. Cooke](#) | [Rep. K. Van Winkle](#) | [Rep. J. Bridges](#)

Summary: Under current law a person may be charged with a class 2 or 3 misdemeanor, depending on the circumstances, for making a false report to authorities. This bill makes it an extraordinary risk class 1 misdemeanor to falsely report an imminent threat to public safety by use of a deadly weapon, if the report causes any government agency that deals with emergencies to initiate actions to evacuate or otherwise displace the occupants of a public building, business, place of assembly, or facility of public transportation. This crime becomes a felony if:

- the emergency response to the false report causes serious bodily harm to another person (class 4 felony); or
- death occurs to another person as a result of the emergency response (class 3 felony).

Offenders may be tried in the county where the false report was made, the county where the false report was communicated to law enforcement, or the county where law enforcement responded to the false report. Offenders must pay restitution equal to the cost of the evacuation or the emergency response.

Position: Monitor

Status: 05/17/2018 | Sent to the Governor

Division Impacted: All Districts, Divisions and Units

Effective Date: Awaiting action from Governor

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_068_enr.pdf

Bill No.: SB 18-071

Title: Extend Substance Abuse Trend and Response Task Force

Sponsors: [Sen. C. Jahn](#) | [Sen. L. Crowder](#) | [Rep. D. Esgar](#)

Summary: Under current law, the Substance Abuse Trend and Response Task Force (task force) is scheduled to repeal July 1, 2018. This bill extends the repeal date for this task force until September 1, 2028. Currently, all funds remaining in the Substance Abuse, Prevention, Intervention, and Treatment Cash Fund are scheduled to be transferred to the General Fund on July 1, 2018. This bill changes the date of this transfer to align with the new task force repeal date of September 1, 2028.

Position: Monitor

Status: 04/26/2018 | Governor Signed

Division Impacted: Investigative Support Division

Effective Date: Currently in effect

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_071_signed.pdf

Bill No.: SB 18-084

Title: Protection Minor Victims of Human Trafficking

Sponsors: [Sen. J. Kefalas](#) | [Rep. L. Landgraf](#) | [Rep. P. Lundeen](#)

Summary: This bill specifies that only persons over the age of 18 may commit the offenses of prostitution, soliciting for prostitution, or prostitution making display (prostitution-related offenses). It creates a presumption that a minor who engages in conduct that would be prostitution if committed by an adult is a victim of human trafficking. Under the bill, these minors must be referred to the county department of human or social services for care and services. The law enforcement or county department of human or social services must contact, if one has been appointed, the minor's guardian ad litem, court-appointed special advocate, specialized victim's advocate, or attorney to notify them that the minor may be a victim of human trafficking. The bill also clarifies the term sexually exploited minor and that a juvenile who committed a delinquent act while a victim of sexual exploitation of a child, or human trafficking of a minor for involuntary servitude or sexual servitude is not considered a juvenile delinquent. That minor is immune from criminal liability or any delinquency proceedings under these circumstances under a preponderance of the evidence standard. If the minor is charged in delinquency or other criminal proceedings, the minor may assert, any at time prior to trial, that he or she is entitled to immunity. The minor is entitled to a pretrial determination of statutory immunity within 30 days of the filing of the motion. If denied by the court, the minor may raise an immunity defense or an affirmative defense.

Position: Monitor

Status: 04/9/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_084_01.pdf

Bill No.: SB 18-089

Title: Elements of The Crime of Hazing

Sponsors: [Sen. A. Williams](#) | [Rep. J. Melton](#)

Summary: Under current law, hazing is a class 3 misdemeanor limited to acts committed for the purpose of initiation, admission, or affiliation to a student organization. This bill expands the definition of hazing to include any willful act committed on public or private property in which a person endangers the physical, emotional, or psychological health or safety of an individual or causes bodily injury to an individual for the purposes of initiation, affiliation, or admission to any

organization.

If the defendant can demonstrate through a preponderance of evidence that at the time of the offense, he or she, was also a victim of hazing and forced into the act, it is an affirmative defense to a charge of hazing.

Position: Monitor

Status: 02/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_089_01.pdf

Bill No.: SB 18-097

Title: Concealed Handgun Carry with No Permit

Sponsors: [Sen. T. Neville](#) | [Rep. K. Van Winkle](#)

Summary: This bill allows a person 21 years or older who is legally allowed to possess a handgun to carry a concealed handgun without a permit, but he or she is subject to the same rights and limitations as permit holders, including the prohibition on the carrying of a concealed weapon on public school grounds.

Position: Monitor

Status: 03/21/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_097_ren.pdf

Bill No.: SB 18-108

Title: Eligibility Colorado Road and Community Safety Act

Sponsors: [Sen. L. Crowder](#) | [Sen. D. Coram](#) | [Rep. J. Arndt](#) | [Rep. J. Singer](#)

Summary: Under current law, the Colorado Road and Community Safety Act (Senate Bill 13-251) authorizes the state Division of Motor Vehicles (DMV) within the Department of Revenue (DOR) to issue a driver license, identification card, or instruction permit (SB 13-251 documents) to an individual who is either temporarily lawfully present in the U.S. or a Colorado resident who is not a U.S. citizen and does not have permanent residency status. These SB 13-251 documents are valid for three years after issuance, with an exception for minor driver licenses. The bill clarifies that SB 13-251 documents may be renewed or reissued in accordance with the process used for standard documents without the individual having to resubmit the initial requisite documentation if the individual provides a previously issued SB 13-251 document and proof of current Colorado residency. As with standard licenses, SB 13-251 documents may be extended by the DMV for

one year if the individual is temporarily out of state or is prevented by disability from renewing a document and pays a fee. A person whose license is lost or stolen may obtain a replacement without renewing the license.

Individuals seeking to obtain SB 13-251 documents are currently required to meet several documentary requirements, including providing an individual taxpayer identification number (ITIN). The bill allows an applicant to provide his or her social security number (SSN) in lieu of an ITIN. Acceptable documentation of the SSN may include a social security card itself, electronic confirmation through the Social Security Online Verification System, or any other documentation deemed by rule to be acceptable by the DOR.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_108_enr.pdf

Bill No.: SB 18-119

Title: False Imprisonment of a Minor

Sponsors: [Sen. B. Gardner](#) | [Rep. T. Carver](#) | [Rep. A. Benavidez](#)

Summary: This bill increases the penalty for false imprisonment from a class 2 misdemeanor to a class 5 felony when the person confines or detains a person under the age of 18 by means of tying, locking, caging, chaining, or otherwise restricting the minor's freedom of movement for any length of time under circumstances that pose a risk of bodily injury or serious emotional distress. The bill clarifies that the statutory privilege between a patient and a physician or his or her spouse is not available for the purpose of excluding or refusing testimony in any prosecution for false imprisonment.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_119_enr.pdf

Bill No.: SB 18-122

Title: Deputy Sheriffs No Peace Officers Standards and Training Certification

Sponsors: [Sen. B. Martinez Humenik](#) | [Rep. H. McKean](#)

Summary: This bill clarifies that a county or city and county law enforcement agency can employ deputy sheriffs and detention officers without peace officer standards and training (POST)

certification if the deputy's or officer's authority is limited to duties assigned by the chief of police, sheriff, or the chief executive of a law enforcement agency.

Position: Monitor

Status: 04/5/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_122_rn3.pdf

Bill No.: SB 18-124

Title: Imported Alcohol Beverages Waiting Period

Sponsors: [Sen. O. Hill](#) | [Rep. D. Pabon](#)

Summary: Under current law, a manufacturer or importer of alcohol beverages must file a notice of intent to import alcohol with the Liquor Enforcement Division in the Department of Revenue (DOR) at least 30 days before the importation or sale of the alcohol. The bill removes the 30-day waiting period.

Position: Monitor

Status: 03/7/2018 | Governor Signed

Division Impacted: Investigative Support Division

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018); except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_124_signed.pdf

Bill No.: SB 18-138

Title: Transfer Alcohol from Surrendered License

Sponsors: [Sen. B. Gardner](#) | [Sen. A. Kerr](#) | [Rep. M. Gray](#) | [Rep. L. Liston](#)

Summary: Under current law, alcohol cannot be transferred between two liquor licensees, and entities licensed for off-premises consumption generally must purchase alcohol from a wholesaler, with a few exceptions. The bill allows certain licensees to purchase alcohol inventory from a licensee whose license has been surrendered or revoked. In order for the alcohol inventory to be sold, there must be common ownership between the seller and purchaser, and the seller must:

- have surrendered its license or had it revoked within the last 60 days;
- return to the wholesaler all alcohol beverages that the seller purchased on credit;
- first offer the wholesaler a 30-day option to repurchase any alcohol initially sold by the wholesaler;
- possess proof that all alcohol purchased from wholesalers has been paid in full; and
- sell the alcohol inventory for only one licensed premises.

The bill defines common ownership to mean at least a 10 percent ownership interest in both the seller and the purchaser's business, at the time one license is surrendered or revoked. The state licensing authority may not promulgate rules regulating the price of the inventory. The seller may deliver the alcohol to the purchaser, and the licensee that purchases the alcohol must retain evidence of the purchase.

Position: Monitor

Status: 04/2/2018 | Governor Signed

Division Impacted: Investigative Support Division

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018); except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_138_signed.pdf

Bill No.: SB 18-140

Title: Motor Vehicle and Vulnerable Road User Penalties

Sponsors: [Sen. M. Merrifield](#)

Summary: Under current law, it is a class 1 misdemeanor traffic offense to drive a motor vehicle, electric bicycle, or low-power motor scooter in a way that is careless and results in the injury or death of someone. This bill increases the penalty for injuring or killing a vulnerable road user as a result of careless driving to a class 1 misdemeanor. Vulnerable road users are defined in the bill. Individuals convicted of injuring or killing a vulnerable road user as a result of careless driving must also attend a driver improvement school and perform up to 200 hours of community service. These individuals are also subject to a six-month driver license suspension and payment of restitution.

Position: Monitor

Status: 02/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_140_01.pdf

Bill No.: SB 18-144

Title: Bicycle Operation Approaching Intersection

Sponsors: [Sen. A. Kerr](#) | [Rep. Y. Willett](#) | [Rep. C. Hansen](#)

Summary: This bill permits a municipality or county to adopt regulations allowing a bicycle or electric bicycle to pass through an intersection with a stop sign without stopping if the bicyclist:

- slows to a reasonable speed;
- yields to vehicles and pedestrians; and
- can safely proceed or turn.

Additionally, counties and municipalities may adopt regulations allowing bicycles and electric bicycles to turn right on or proceed through an intersection with a red light after first stopping. Bicyclists may not turn left when there is a red light unless the street is one way.

Position: Monitor

Status: 05/3/2018 | Governor Signed

Division Impacted: Patrol Districts and Investigations, Special Operations Division

Effective Date: Currently in effect. Awaiting action by Denver City Officials

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_144_signed.pdf

Bill No.: SB 18-150

Title: Colorado Department of Education Bullying Policies Research

Sponsors: [Sen. R. Fields](#) | [Sen. K. Priola](#) | [Rep. J. Buckner](#) | [Rep. J. Wilson](#)

Summary: This bill requires that the Colorado Department of Education (CDE) research policies, approaches, and practices related to bullying prevention and education used by other states. By July 1, 2019, CDE, in consultation with the School Safety Resource Center in the Department of Public Safety (DPS), must develop a model policy for bullying prevention and education. The research and model policy must be posted on the CDE website and updated every three years.

Position: Monitor

Status: 04/23/2018 | Governor Signed

Division Impacted: All Patrol Districts and Investigations, Divisions, and Units

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018); except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_151_signed.pdf

Bill No.: SB 18-158

Title: School Access to Interoperable Communication Technology

Sponsors: [Sen. D. Coram](#) | [Sen. L. Garcia](#) | [Rep. C. Duran](#) | [Rep. M. Catlin](#)

Summary: This bill creates the School Access for Emergency Response (SAFER) grant program in the Division of Homeland Security and Emergency Management in the DPS. The annual grant program will provide funding to schools and public safety communications networks for interoperable communication hardware, software, equipment maintenance, and training. The bill

also creates the SAFER cash fund and directs a \$5 million transfer to the cash fund each year between FY 2018-19 and FY 2023-24 from the State Public School Fund. The grant program is repealed July 1, 2024.

The bill also creates a Grant Selection Committee composed of seven appointed members to assist in the determination of whether a grant application meets application criteria. The bill directs that the committee members serve without compensation.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_158_signed.pdf

Bill No.: SB 18-169

Title: Offenses Against Civil and Administrative Witnesses

Sponsors: [Sen. B. Gardner](#) | [Rep. T. Carver](#)

Summary: This bill clarifies that the prohibition against intimidating or retaliating against a witness or victim also applies to civil cases and administrative proceedings.

Position: Monitor

Status: 04/25/2018 | Governor Signed

Division Impacted: Patrol District and Investigations, Major Crimes Division

Effective Date: This act takes effect July 1, 2018, and applies to offenses committed on or after said date.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_169_signed.pdf

Bill No.: SB 18-173

Title: Removal of Vinous Liquor from Licensed Premises

Sponsors: [Sen. B. Gardner](#) | [Rep. L. Herod](#)

Summary: Under current law, certain liquor licensees may sell one opened and resealed container of wine to a customer to be consumed off the licensed premises, as long as the container does not exceed 750 milliliters of wine and the licensee has meals available for consumption. The bill clarifies that the specified licensees may instead have sandwiches and light snacks available for consumption.

Background

Selling one partially consumed and resealed bottle of wine to a customer is known as "cork and carry", and is permitted for the following license types:

- wine manufacturer;

- limited winery;
- beer and wine;
- hotel and restaurant;
- brew pub;
- vintner's restaurant;
- club;
- distillery pub; or
- lodging and entertainment facility.

Position: Monitor

Status: 04/2/2018 | Governor Signed

Division Impacted: Patrol Districts and Investigative Support Division

Effective Date: This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018); except that, if a referendum petition is filed.

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_173_signed.pdf

Bill No.: SB 18-175

Title: Prohibit Paid Union Activity by Public Employees

Sponsors: [Sen. B. Gardner](#) | [Rep. P. Lundeen](#)

Summary: This bill prohibits the state and any of its political subdivisions (public employer), except home rule municipalities, from entering into an employment contract or agreement (employment bargain) with any public employee or union to compensate any public employee or third party for union activities or the costs associated with participation in union activities. It voids any existing employment bargains that include such provisions, and clarifies that a public employee is not prohibited from receiving compensated leave time for any personal purpose. The Attorney General is required to enforce the bill's provisions and any taxpayer of the jurisdiction where a violation occurs has standing to file an action in court to remedy the violation.

Position: Monitor

Status: 04/11/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_175_ren.pdf

Bill No.: SB 18-185

Title: Deadly Force Against Intruder at A Business

Sponsors: [Sen. J. Smallwood](#) | [Rep. J. Everett](#) | [Rep. S. Sandridge](#)

Summary: This bill adds a place of business to the locations that may be defended using deadly

physical force if an owner, manager, or employee reasonably believes that the intruder is committing, has committed, or intends to commit a crime, other than the unlawful entry, and that the intruder might use physical force against the occupant. The bill specifies that an owner, manager, or employee of a business is immune from criminal prosecution and civil liability for defending a place of business using deadly physical force.

Position: Monitor

Status: 04/25/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_185_ren.pdf

Bill No.: SB 18-186

Title: Allow Retail Marijuana Store to Sell Consumables

Sponsors: [Sen. V. Marble](#)

Summary: Under current law, a retail marijuana store is prohibited from selling any consumable product other a retail marijuana product. The bill removes that prohibition.

Position: Monitor

Status: 03/19/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_186_01.pdf

Bill No.: SB 18-189

Title: Alcohol Beverage Service Special Events

Sponsors: [Sen. R. Zenzinger](#) | [Sen. K. Priola](#)

Summary: Senate Bill 18-067 (enacted in 2018) allows certain organizations conducting a special event to auction alcohol beverages in sealed containers if certain conditions were met. The bill expands on SB 18-067 by also allowing organizations conducting a special event to open the sealed containers and sell the alcohol beverages by the drink to persons attending the special event, for consumption only on the licensed premises or unlicensed premises where the special event is held.

Position: Monitor

Status: 03/14/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_189_01.pdf

Bill No.: SB 18-198

Title: Fermented Malt Beverage Expanded Malt Liquor

Sponsors: [Sen. R. Scott](#)

Summary: The bill makes changes to state law related to the regulation of 3.2 and full-strength beer.

Definitions. Under current law, fermented malt beverages (3.2 beer) may not exceed 3.2 percent alcohol by weight or 4 percent by volume and malt liquor (full-strength beer) only includes beer exceeding 3.2 percent by weight. Beginning January 1, 2019, there is no longer a distinction between 3.2 and full-strength beer under current law. The bill continues the current distinction between 3.2 and full-strength beer.

New expanded retailer's license. Under current law, there are three license types available that allow the sale of 3.2 beer: on-premises consumption, off-premises consumption, and on/off premises consumption licenses. The bill creates a new expanded retailer's license to permit the sale of 3.2 and full-strength beer at retail. The annual state licensing fee for an expanded retailer's license is \$75, and the state licensing authority may set application fees for the license. A local licensing authority may not accept applications for a new expanded retailer license prior to January 1, 2019, and may not issue a new license:

- if it would add an undue concentration of licenses or require use of additional law enforcement resources; or
- if the location is located within 1,500 feet of a licensed 3.2 beer off-premises retailer, retail liquor store, or liquor-licensed drugstore, or within 3,000 feet of those licensees in a municipality with a population of 10,000 or less.

Expanded retailer's licensees may not:

- sell full-strength beer in single-serve containers;
- allow employees under the age of 21 to sell beer, check age identification, make deliveries beyond the parking area, or have contact with alcohol; and
- sell beer between midnight and 8 a.m., or without checking the identification of the customer.

License conversion. The bill allows licensees who hold a 3.2 off-premises license prior to January 1, 2019, to convert their license to an expanded retailer's license. Licensees must:

- notify state and local licensing authorities between July 1, 2018, and January 1, 2019, of their intent to convert the license; and
- not expand the floor or cooler space and number of stock keeping units, or SKUs, dedicated to 3.2 beer as of July 1, 2018, in order to accommodate both 3.2 beer and full-strength beer.

If a licensee fails to meet these conditions, the retailer may not convert their license to an expanded retailer's license and must meet the radius and undue concentration requirements listed above for a new expanded retailer's license.

Position: Monitor

Status: 05/7/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_198_01.pdf

Bill No.: SB 18-199

Title: Increase Penalty for Peace Officer Assaults

Sponsors: [Sen. K. Priola](#) | [Sen. B. Martinez Humenik](#)

Summary: This bill increases the penalty level for assault on a peace officer and requires the court to sentence the defendant to a term of incarceration of at least the maximum sentence and no more than two and one-half times the maximum of the presumptive range of the offense.

Position: Monitor

Status: 03/29/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_199_01.pdf

Bill No.: SB 18-211

Title: Marijuana Consumption Club License

Sponsors: [Sen. V. Marble](#) | [Rep. J. Melton](#)

Summary: The bill creates a marijuana consumption club (marijuana club) license in the Colorado Retail Marijuana Code. Marijuana clubs will only be able to operate in local jurisdictions after voters or a majority of the governing board for the municipality, county, city, or city and county approve such businesses. A marijuana club in operation when the bill becomes effective may continue to operate if it has filed an application for licensure or approval with the state and local government and has not been denied licensure or approval.

A licensed marijuana club allows its patrons to purchase and consume retail marijuana and retail marijuana products on-site. The bill requires that all retail marijuana and retail marijuana products be consumed, stored, or disposed of on-site. A marijuana club must ensure that purchasers are at least 21 years of age and must confiscate fraudulent proof of age documents and remit them to a state or local law enforcement agency. A marijuana club can purchase retail marijuana and retail marijuana products from a licensed retail marijuana business or become licensed to grow or manufacture its own. A licensed marijuana club is prohibited from selling or serving alcohol or food prepared on-site but can serve light snacks or retail marijuana products prepared elsewhere. A patron can bring food for consumption into the marijuana club but is prohibited from bringing in retail marijuana or retail marijuana products.

Other provisions of the bill include that a marijuana consumption club:

- is not civilly liable for injury or damage because of a person's intoxication due to the sale or service of retail marijuana, or retail marijuana products with some exceptions;
- may be inspected by local law enforcement;
- is prohibited from using a butane torch or similar device on the premises;
- must have its staff successfully complete a responsible vendor program annually;
- can sell no more than the equivalent of one ounce of retail marijuana;
- will track its retail marijuana and retail marijuana products when transferred from its source to the point of sale;
- must follow packaging and labeling rules for retail marijuana and retail marijuana products;
- must include the potency of retail marijuana in a display case next to the product;
- is prohibited from selling or giving away any consumable product;
- must be fully ventilated; and
- is prohibited from selling over the internet or delivering a product to a person not physically present at the club.

Position: Monitor

Status: 04/2/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_211_01.pdf

Bill No.: SB 18-220

Title: Public Safety Protection from Sanctuary Policies

Sponsors: [Sen. T. Neville](#) | [Rep. K. Ransom](#)

Summary: Conditional upon voter approval, this bill prohibits the state or any of its subdivisions from prohibiting or restricting the flow of information with federal immigration agencies regarding the citizenship or immigration status of any individual. These entities may not encourage the physical harboring of an illegal immigrant.

Sanctuary jurisdictions. Under the bill, the state or any of its subdivisions, is deemed to have created a sanctuary jurisdiction policy if it: violates the information sharing requirements described above; is notified by the federal Department of Justice or Department of Homeland Security that it is not in compliance with federal immigration law; or has been denied federal grant money or been found ineligible to receive federal grant money based on a lack of compliance with federal immigration law.

Notifications. The state and each of its subdivisions must provide written notice to each elected official, employee, and law enforcement officer of that jurisdiction of his or her duty to comply with all federal laws related to immigration.

Compliance reporting. On or before January 1, 2020, and each January 1 thereafter through January 1, 2030, the state and each county, city and county, or municipality having a

population of at least 25,000 people must submit a written report and affirmation of compliance to the Department of Public Safety (DPS). On or before April 1, 2020, and each April 1 thereafter through 2030, the DPS must submit an annual report compiling this information to the General Assembly.

Position: Monitor

Status: 05/2/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_220_ren.pdf

Bill No.: SB 18-223

Title: Autopsy Reports Death of a Minor

Sponsors: [Sen. B. Gardner](#) | [Rep. M. Gray](#) | [Rep. T. Carver](#)

Summary: Under this bill, an autopsy report on the death of a minor cannot be provided by the coroner to any other person or entity, except in the following instances to:

- a parent or legal guardian, if a written request is submitted in addition to an affidavit signed by the parent or guardian verifying their relationship to the deceased;
- any law enforcement or criminal justice agency that is investigating the death, or prosecuting a criminal violation upon request from the agency;
- a party in a civil case, if the party demonstrates to the court that the autopsy report is discoverable, upon entry of an order to the court and in accordance with any protective order necessary to limit the identity of the deceased, and any other personal identifying information;
- counsel for the defendant or respondent for discovery in a criminal case upon entry of an order of the court;
- a local or regional child fatality prevention review team upon its request; or
- the Department of Public Health and Environment as necessary for the collection of data in accordance with the Colorado Violent Death Reporting System.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_223_enr.pdf

Bill No.: SB 18-234

Title: Human Remains Disposition Sale Businesses

Sponsors: [Sen. D. Coram](#) | [Sen. L. Crowder](#) | [Rep. T. Kraft-Tharp](#) | [Rep. M. Catlin](#)

Summary: This bill makes it unlawful for a person owning an indirect or direct interest in a funeral establishment or in a crematory to own an indirect or direct interest in a nontransplant tissue bank. Indirect interest is ownership of more than 10 percent.

This bill also requires each nontransplant tissue bank to register with the Department of Regulatory Agencies (DORA) by July 1, 2019. Nontransplant tissue banks are required to appoint a designee, pay registration and renewal fees set by DORA, comply with standards of practice as specified in the bill, have body part delivery records, and disclose donor information. DORA may initiate disciplinary actions against a nontransplant tissue bank, which can include the suspension, denial, or revocation of a registration. These requirements for nontransplant tissue banks repeal September 1, 2024, and are subject to a sunset review by DORA prior to this date.

This bill also creates a misdemeanor for violations of law by nontransplant tissue banks punishable by a fine of up to \$5,000, imprisonment in a county jail of 24 months, or both.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_234_enr.pdf

Bill No.: SB 18-242

Title: Public Official Oath of Office

Sponsors: [Sen. V. Marble](#) | [Rep. T. Leonard](#) | [Rep. S. Humphrey](#)

Summary: The bill requires a person swearing an oath of office for a public office or position to do so by swearing by the ever-living God and to do so with an uplifted hand.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_242_enr.pdf

Bill No.: SB 18-251

Title: Statewide Behavioral Health Court Liaison Program

Sponsors: [Sen. B. Gardner](#) | [Sen. K. Lambert](#) | [Rep. P. Lee](#) | [Rep. D. Young](#)

Summary: This bill creates the Statewide Behavioral Health Court Liaison Program in the Judicial Department's Office of the State Court Administrator to identify and dedicate local behavioral health professionals to serve as court liaisons in each judicial district and to facilitate communication and collaboration between the judicial and behavioral health systems. The program is intended to keep judges, district attorneys, and defense attorneys informed about community-based behavioral health services. The bill defines a behavioral health condition as mental health and co-occurring substance use conditions that are indicative of a possible behavioral health problem, concern, or disorder.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_251_enr.pdf

Bill No.: SB 18-257

Title: Penalty for Driving Under Restraint

Sponsors: [Sen. K. Priola](#)

Summary: Under current law, anyone who drives a motor vehicle or off-highway vehicle with a license that is restricted due to a DUI, driving while ability impaired (DWAI), underage drinking and driving (UDD), or other alcohol-related offense, is guilty of a misdemeanor. The punishment for the first offense for driving with a license restricted for an alcohol-related offense is a jail sentence of at least 30 days and up to a year, a fine between \$500 and \$1,000, or both. The punishment for a second or subsequent offense is a jail sentence of at least 90 days and up to 2 years, a fine between \$500 and \$2,000, or both.

This bill increases the penalty for the first of offense of driving with a license that is restricted due to an alcohol-related offense to a minimum jail sentence of 60 days and a fine of \$1,000 and 2,000 or both. The bill increases the penalty for second or subsequent offenses to a jail sentence of at least 90 days and up to 2 years, a fine between \$2,000 and \$4,000, or both. Additionally, if someone drives negligently with a license that is under restraint due to an alcohol-related offense, and is the proximate cause of death to another person, the penalty for this offense is increased from a misdemeanor to a class 5 felony.

Position: Monitor

Status: 04/25/2018 | Bill died in committee

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_257_01.pdf

Bill No.: SB 18-272

Title: Crisis and Suicide Prevention Training Grant Program

Sponsors: [Sen. B. Martinez Humenik](#) | [Sen. N. Todd](#) | [Rep. T. Carver](#) | [Rep. B. McLachlan](#)

Summary: The bill creates the crisis and suicide prevention training grant program (grant program) in the department of public health and environment (department). The purpose of the grant program is to provide financial assistance to schools in providing crisis and suicide prevention training to schools, with priority given to those schools that have previously not received such training. The grant program may authorize up to \$400,000 in grants per year in varying amounts. The office of suicide prevention and the school safety resource center shall work collaboratively with the department to develop guidelines and criteria for the grant program. Grant recipients are required to report on their activities using grant money.

The crisis and suicide prevention training grant program fund is created and authorized to accept appropriations from the general assembly, as well as gifts, grants, and donations.

The bill makes conforming amendments that authorize the existing office of suicide prevention in statute.

Position: Monitor

Status: Awaiting action by Governor

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_272_enr.pdf

Bill No.: SB 18-278

Title: Increase Penalty for First Responder Assaults

Sponsors: [Sen. K. Priola](#) | [Sen. B. Martinez Humenik](#) | [Rep. P. Covarrubias](#)

Summary: Under current law, second degree assault on a firefighter or a peace officer is a class 4 felony crime of violence with a sentence of incarceration in the Department of Corrections (DOC) of between 5 and 16 years. This bill increases the penalty for assault on a firefighter or peace officer by one class, making it a class 3 felony crime of violence with a sentence of 10 to 32 years.

Position: Monitor

Status: Died on Senate floor during second reading.

Division Impacted: N/A

Effective Date: N/A

Link to full text of Bill: https://leg.colorado.gov/sites/default/files/documents/2018A/bills/2018a_278_01.pdf

***If you would like more information on a bill please contact John White at 720-913-7472 or via email at john.white@denvergov.org**

Also, you can visit the Colorado State General Assembly website at the following link <https://leg.colorado.gov/bills>

