



COLORADO

Department of Local Affairs

Office of the Executive Director

DOLA Legislative Issues 2021

#1 Verification of lawful presence housing exceptions

We are asking to exclude housing, housing services and housing assistance from the requirement that household members over 18 must prove lawful presence. Stable housing is critical to the health and safety of not only the family housed but to the community as a whole. This was undeniably apparent this spring as the Governor issued stay-at-home orders to reduce the spread of COVID-19.

Many US Citizen children have one or both parents who cannot document legal presence. It is well documented that stable housing is a key to a child's ability to learn. Over 140,000 US Citizens in Colorado live with at least one family member who is undocumented (American Immigration Council). Undocumented immigrants comprised 5% of the Colorado workforce in 2016. Undocumented immigrants in Colorado paid an estimated \$272.8 million in federal taxes and \$156.5 million in state and local taxes in 2018 (American Immigration Council). Stable housing is important to maintaining a stable workforce.

Short-term shelter is already excluded from the requirement of proof of lawful presence. Expanding this to also exclude housing, housing services and housing assistance will allow the state, local governments and non-profit agencies to strategically provide housing assistance that results in positive health and education outcomes, community stability, and cost efficiencies.

#2 Eviction Prevention and Frequency of Rent Increase

The proposed legislation builds on the state's response to the COVID-19 crisis by providing additional time for renters to seek legal help and/or rent repayment assistance before they can be required to appear in court to defend against a forcible entry and detainer (FED or eviction) action. In addition, while the proposal would not limit the amount that a landlord can increase rent for a residential tenant, the proposed changes would limit the frequency with which a landlord can increase rent for residential tenancies to once a year.

#3 Enhancing Consumer Protections and Establishing a Clearer Regulatory Framework for Factory Built Structure Industry

DOLA proposes a rework of the statute that regulates the construction of factory-built structures; the sale and installation of manufactured homes; and the construction of any hotel, motel, or multi-family dwelling in a jurisdiction that does not have a building department. Part 33 of Article 32 of Title 24 is a challenging statute to comprehend for the Department, the Office of the Attorney General, local governments, consumers, as well as the industry it governs. DOLA would like an opportunity to address the confusion, inconsistencies, and holes that have identified throughout it.





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#4 Clarify language in HB19-1087 Local Public Meeting Notices Posted On Website

Change language to clarify the provision in §24-6-402(2)(c)(IV) is applicable to “school districts” instead of “school boards” to match the other three types of local governments listed in the law.

#5 Update Division of Housing Functions

DOLA would like to update statutory provisions governing the Division of Housing to facilitate housing that promotes state goals for local development and enables DOH to leverage state funding to promote the state’s affordable housing and energy performance objectives.

The bill will specifically enable DOH to promote state goals including local development near transit corridors,; increased housing density near employment, education and town centers; energy performance standards that minimize total building operational costs; and collaboration with other state agencies on the disposition of state-owned assets to be used for low- and moderate-income housing.

Budget Decision Items

A one-time General Fund reduction (\$687,625) of the Defense Counsel on First Appearance Grant Program.

A one-time Marijuana Tax Cash Fund reduction (\$4,000,000) of the Gray and Black Market Marijuana Enforcement Grant Program.

An on-going General Fund reduction (\$1,000,000) of the Crime Prevention Grant Program.

A one-time General Fund and Reappropriated Fund reduction (\$4,681,311) of the Affordable Housing Grant Program; along with a 1.7 FTE reduction. The Sept. LCS forecast projects that \$24M will be transferred from vendor fee (HB19-1245).

A Cash Fund increase (\$200,000) in the Law Enforcement Community Services Grant Program.

A one-time Cash Fund elimination (\$50,000) of the Geothermal Resource Leasing Fund.

A one-time refinance of General Fund (\$150,000) Firefighter Heart & Circulatory Malfunction Grant Program.

A General Fund reduction (\$124,658) (1 FTE) in DOLA personal services.

A one-time stimulus request (supplemental) of \$50M for housing assistance for individuals and families impacted by the COVID-19 pandemic.

A one-time stimulus request (supplemental) for the RENEW Grant Program to provide a direct stimulus investment into communities for construction of clean energy projects.

