

PRELIMINARY DIGEST

May 6, 2024

**SENATE AND HOUSE BILLS ENACTED
BY THE
SEVENTY-FOURTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO**

2024 - Second Regular Session

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Includes 92 digests of the 186 bills
that have been passed by
the General Assembly and acted on by the Governor

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The first date appearing after each digest entry is the date on which the Act was approved by the Governor or, if noted, became law without his signature; the second date is the effective date of the Act. At the time of publication, some measures that do not contain a safety clause will appear with a notation that it is effective on the 91st day after sine die. The official date for these bills will appear in the final digest that is published in June. Vetoed bills are designated and marked "VETOED".

Bills are in categorical order. This digest is intended to direct the user to the text of specific bills and does not purport to be exhaustive of the contents of the bills.

Compiled by the
Office of Legislative Legal Services

AGRICULTURE

S.B. 24-031 Noxious weeds - county enforcement - civil infraction - civil penalties. Current law allows the commissioner of agriculture to assess civil penalties for violations of state laws related to the prevention of noxious weeds (violations). The act:

- Clarifies that a board of county commissioners (board) may allow for the assessment and collection of fines for violations of local laws enacted to enforce the management of noxious weeds in the county;
- Creates a civil infraction for violations;
- Creates a civil penalty for violations that is no less than \$500 and no more than \$1,000;
- Allows a county attorney to petition the district court for an injunction to prevent an ongoing violation; and
- Allows a board to appoint a district attorney to enforce violations in the event that the county does not have a county attorney or in any other circumstance that the board deems appropriate.

APPROVED by Governor March 12, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 24-137 Department of agriculture - Colorado Seed Potato Act - testing and certification of potato seed stock. The act requires that, in order to plant uncertified potatoes, a potato grower must:

- Submit the uncertified potato seed stock to the certifying authority of Colorado for testing and have the certifying authority approve the potatoes for planting; or
- Ensure the uncertified potatoes are no more than one generation removed from certified or qualified parent potatoes and submit the uncertified potato seed stock to the certifying authority for testing.

The testing process is aimed to ensure that if uncertified potatoes are planted in Colorado, those potatoes are free from disease or other issues that may be detrimental to Colorado's potato crop.

APPROVED by Governor May 1, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1032 Wild horse project - wild horse population management - deadline for implementation extended. The act extends to December 31, 2025, the time in which the

department of agriculture may implement wild horse population management pursuant to Senate Bill 23-275, concerning managing wild horses.

APPROVED by Governor March 22, 2024

EFFECTIVE March 22, 2024

CHILDREN AND DOMESTIC MATTERS

S.B. 24-006 Pretrial diversion - juveniles and adults - intellectual and developmental disability, mental or behavioral health, or lack of mental capacity. The act requires a district attorney's office, or the office's designee, to consider the use of a juvenile diversion program (program) to prevent a juvenile who demonstrates behaviors or symptoms consistent with an intellectual and developmental disability, a mental or behavioral health issue, or a lack of mental capacity from further involvement in formal delinquency proceedings.

Current law allows programs to use the results of an approved and validated assessment tool to identify the appropriate diversion services a juvenile may need and the professionals who may provide the services. The act adds behavioral health services and services for juveniles with developmental disabilities to the types of services a juvenile may need and adds behavioral health treatment providers and providers who offer services to juveniles with developmental disabilities to the list of professionals who may provide the appropriate diversion services.

If an adult defendant's competency is raised or a defendant is found incompetent to proceed, the act allows the defendant to enter into a diversion agreement with the consent of the district attorney and the court if the court finds that the defendant has the ability to participate and is advised of the potential consequences of failure to comply. The defendant's entrance into the diversion agreement does not waive the issue of competency to stand trial if there is a violation of the diversion agreement and proceedings on the charges resume. The diversion agreement alone is not evidence of competency.

APPROVED by Governor March 22, 2024

EFFECTIVE March 22, 2024

S.B. 24-119 Federal classification as special immigrant juvenile - definition of abandonment. Current law states that if there is sufficient evidence to determine that reunification of a child or youth with one or both parents is not viable due to abuse, neglect, abandonment, or a similar basis, the child or youth is eligible for federal classification as a special immigrant juvenile. The act clarifies that abandonment includes, but is not limited to, the death of one or both parents. The act defines the phrase "special immigrant juvenile status findings".

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

CONSUMER AND COMMERCIAL TRANSACTIONS

H.B. 24-1058 Colorado privacy act - sensitive data - biological data - neural data. In 2021, the general assembly enacted Senate Bill 21-190, concerning additional protection of data relating to personal privacy, which established the "Colorado Privacy Act" (privacy act) as part of the "Colorado Consumer Protection Act". The privacy act protects the privacy of individuals' personal data by establishing certain requirements for entities that process personal data. The privacy act also describes certain rights that consumers may exercise regarding the processing of their personal data. The privacy act includes additional protections for sensitive data.

For the purposes of the privacy act, the act expands the definition of "sensitive data" to include biological data, which is data generated by the technological processing, measurement, or analysis of an individual's biological, genetic, biochemical, physiological, or neural properties, compositions, or activities or of an individual's body or bodily functions, which data is used or intended to be used, singly or in combination with other personal data, for identification purposes. Biological data includes neural data, which is information that is generated by the measurement of the activity of an individual's central or peripheral nervous systems and that can be processed by or with the assistance of a device.

APPROVED by Governor April 17, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

CORRECTIONS

H.B. 24-1385 Caseload changes - budget request deadline. Under existing law, the department of corrections (department) shall submit a request related to changes in caseload to the joint budget committee by January 15. The act changes the deadline so that the department shall submit the request on or before January 10.

APPROVED by Governor April 18, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without safety clause and takes effect 90 days after sine die.

COURTS

S.B. 24-063 Examination of a witness - confidentiality of communication - peer support team member - recipient of group peer support services. The act prohibits a peer support team member or recipient of group peer support services from being examined as a witness without the consent of the person to whom the examination relates.

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1013 Crime victim boards - twenty-third judicial district. The new twenty-third judicial district exists beginning January 7, 2025. The act makes changes so that the crime victim compensation board and the victims and witnesses assistance and law enforcement board may provide compensation and services once the new judicial district exists.

APPROVED by Governor April 4, 2024

EFFECTIVE April 4, 2024

H.B. 24-1071 Name change to conform with gender identity - felony conviction - good cause - public notice. Current law specifies the conditions a person must meet in order to change the person's name if the person was convicted of a felony. Among those conditions is that the person must show good cause to be able to change the person's name to a name different from the name the person was convicted under. The act states that good cause includes changing the petitioner's name to conform with the petitioner's gender identity.

The act authorizes the court to require a petitioner to give public notice of a name change if the name change was requested by a petitioner with a felony conviction and is for the purpose of changing the petitioner's name to conform with the petitioner's gender identity.

APPROVED by Governor April 19, 2024

EFFECTIVE April 19, 2024

H.B. 24-1102 Office of the child's representative - respondent parents' counsel - alternate defense counsel - director qualifications - legal licensure. Current law requires the director of the office of the child's representative and the alternate defense counsel (directors) to be licensed to practice law in Colorado for at least 5 years prior to being appointed as the director of the respective offices and requires the director of the respondent parents' counsel to have 5 years of experience as a licensed attorney prior to being appointed as the director of the respondent parents' counsel. The act removes the requirement that the directors of the office of the child's representative and the alternate defense counsel be licensed to practice law in Colorado prior to their appointment and requires the directors to either be licensed to

practice law in Colorado at the time of the appointment or be able to become licensed to practice law in Colorado within 6 months after the appointment.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1212 Twenty-third judicial district - drug offender treatment board - juvenile services planing committee. The new twenty-third judicial district exists beginning January 7, 2025. The act makes changes so that the judicial district drug offender treatment board and the local juvenile services planning committee may begin work before the new judicial district exists.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

H.B. 24-1213 General fund - transfer to judicial collection enhancement fund. The act requires the state treasurer to transfer \$2.5 million from the general fund to the judicial collection enhancement fund on April 1, 2024.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

CRIMINAL LAW AND PROCEDURE

S.B. 24-029 Criminal justice system - performance metrics - working group. The act creates the alternative metrics to measure criminal justice system performance working group (working group). The working group consists of:

- Representatives from the division of youth services in the department of human services, the department of corrections, the judicial department, and the department of public safety; and
- 2 members from an institution of higher education with expertise in the criminal legal system and two members from a community-based organization that works for criminal legal reform.

The working group shall consult with stakeholders either identified by the working group or who request to participate.

The act requires the working group to study metrics and methods, other than measuring recidivism, to:

- Supplement the current measure of recidivism;
- Measure risk-reduction outcomes;
- Comprehensively measure successful outcomes that consider various aspects of life, including employment, housing, education, mental health, personal well-being, social supports, and civic and community engagement; and
- More effectively measure criminal justice system performance.

The working group is required to submit a report to the house of representatives public and behavioral health and human services committee and judiciary committee and the senate health and human services committee and judiciary committee on or before July 1, 2025. The report must include a summary of the working group's work and any recommendations of the working group.

APPROVED by Governor March 6, 2024

EFFECTIVE March 6, 2024

S.B. 24-035 Human trafficking - crimes of violence - affirmative defense - statute of limitations. Under current law, "crimes of violence" are subject to enhanced sentencing. The act adds human trafficking of an adult or a minor for the purpose of involuntary servitude and human trafficking of an adult or a minor for sexual servitude to the list of crimes of violence that are subject to enhanced sentencing.

Under current law, it is an affirmative defense to a charge of human trafficking for sexual servitude if the person being charged can demonstrate by a preponderance of the evidence that, at the time of the offense, the person was a victim of human trafficking for sexual servitude who was forced or coerced into engaging in the human trafficking of minors for sexual servitude. The act extends the affirmative defense if the person was forced or coerced into engaging in human trafficking for sexual servitude and removes the

preponderance of evidence standard.

The act makes the statute of limitations for human trafficking of an adult or a minor for the purpose of involuntary servitude and human trafficking of an adult for sexual servitude 20 years. The act does not change the unlimited statute of limitations for human trafficking for sexual servitude of a minor.

APPROVED by Governor April 11, 2024

EFFECTIVE April 11, 2024

H.B. 24-1072 Criminal law - unlawful sexual behavior - evidence - rape shield. Under current law, certain evidence of a victim's or witness's prior or subsequent sexual conduct is presumed irrelevant, but there is an exception for evidence of the victim's or witness's prior or subsequent sexual conduct with the defendant. The act eliminates this exception.

The act expands the criminal rape shield law to prohibit the admission of evidence of the victim's manner of dress or hairstyle as evidence of the victim's consent.

The act amends what a moving party must show to the court and to opposing parties and what the court must find in order to introduce evidence that is presumed to be irrelevant under the criminal rape shield law.

Under current law, a defendant may move to introduce evidence that the victim or a witness has a history of false reporting of sexual assaults, upon a sufficient showing to the court and opposing parties. The act allows the defendant to offer evidence concerning at least one incident of false reporting of unlawful sexual behavior and also articulate facts that would, by a preponderance of the evidence, demonstrate that the victim or witness has made a report that was demonstrably false or false in fact.

APPROVED by Governor April 24, 2024

EFFECTIVE July 1, 2024

H.B. 24-1074 Aggravated cruelty to animals - law enforcement animals - affirmative defense - reporting use of excessive force by law enforcement animal - immunity for necessary veterinary care. Under current law, aggravated cruelty to animals is a class 4 felony. The act specifies that a person commits the offense of aggravated cruelty to animals if the person knowingly kills or causes serious bodily injury resulting in death to a law enforcement animal whether the of a law enforcement animal is on duty or not.

The act creates an affirmative defense stating that a person is justified in using physical force upon a law enforcement animal to defend their own person or a third person when the person reasonably believes that a law enforcement animal is an application of unreasonable or excessive force.

The act requires an on-duty peace officer to intervene to prevent or stop another peace officer who is the handler of a law enforcement animal from allowing the law enforcement

animal from using the degree of excessive physical force permitted by law while carrying out the peace officer's duties. A peace officer who witnesses the use of excessive force by a law enforcement animal, as permitted by the animal's handler, must report the excessive force to the officer's or handler's supervisor.

The act specifies situations in which a licensed veterinarian or a person who owns or is charged with the care of a law enforcement animal has immunity from liability when it is necessary to euthanize or provide immediate veterinary care to a law enforcement animal.

APPROVED by Governor April 17, 2024

EFFECTIVE April 17, 2024

H.B. 24-1241 Municipal court bond - align property crime threshold. Under current law, if a defendant is charged with a traffic offense, a petty offense, or a comparable municipal offense, a court shall not impose a monetary condition of release. Specifically, the provision applies to a comparable municipal offense that is a property crime and reflects a value of less than \$50. The act removes the monetary threshold and instead states that the court cannot impose a monetary condition of release for a comparable municipal offense that would be a petty offense property crime under state law.

APPROVED by Governor April 11, 2024

EFFECTIVE April 11, 2024

EARLY CHILDHOOD PROGRAMS AND SERVICES

S.B. 24-071 Child care licensing - children's resident camps - seasonal outdoor adventure day camp program. The act defines "seasonal outdoor adventure day camp program" (program) as a type of children's resident camp for licensing purposes or to ensure the programs are licensed. Programs serve children who are 5 years of age or older.

APPROVED by Governor April 4, 2024

EFFECTIVE April 4, 2024

H.B. 24-1205 Colorado imagination library program - early childhood literacy - transfer of program. Current law requires the state librarian in the department of education to oversee the Colorado imagination library program (program) and to contract with a Colorado nonprofit organization (contractor) to operate the program. The act relocates the program to the department of early childhood (department).

Effective June 30, 2024, the rights, powers, duties, functions, and obligations concerning the program are transferred to the department. The act transfers the contractual obligations with the contractor to the department.

Before the rights, powers, duties, functions, and obligations concerning the program are transferred to the department on June 30, 2024, the department may enter into an interagency agreement with the department of education for the administration of the program.

The act authorizes the contractor to enter into contracts with book vendors or publishers to provide additional age-appropriate, high-quality books to children enrolled in the program at no cost to families.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

H.B. 24-1387 Universal preschool program - preschool programs cash fund. The act clarifies that the department of early childhood (department) may use the remaining money annually appropriated from the preschool programs cash fund (fund) to provide additional preschool services for children who are in low-income families or who meet at least one qualifying factor and to provide services for the furtherance of the universal preschool program.

The act prohibits the general assembly from appropriating the full balance of the fund prior to the start of a state fiscal year. The unappropriated balance in the fund is the reserve. The department may submit a request for a supplemental appropriation from the reserve to the joint budget committee.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

EDUCATION - PUBLIC SCHOOLS

S.B. 24-017 School finance - timing of total program distribution. Under current law, the state distributes its share of a school district's total program funding in 12 approximately equal monthly payments during the budget year.

The act changes this distribution schedule so that unless a school district opts out, the state distributes its share of a school district's total program funds in a pattern over the course of the budget year that considers the projected timing of when the district will receive the property tax component of its local share of its total program funding and is as equal as possible each month when combined with the property tax component of its local share.

APPROVED by Governor April 4, 2024

EFFECTIVE April 4, 2024

S.B. 24-051 Adult education - high school diplomas. Current law permits a community college or local district college to develop and implement minimum graduation requirements for a high school diploma. The act gives that authority to the state board of community colleges and occupational education and a local district college board of trustees.

The act authorizes the department of education (department) to roll forward unexpended and unencumbered money appropriated to the department from the general fund for the 2023-24 and 2024-25 state fiscal years for the adult education and literacy grant program (program). The money is available to the department for the program through the 2028-29 state fiscal year, at which time it reverts to the general fund.

APPROVED by Governor March 6, 2024

EFFECTIVE March 6, 2024

S.B. 24-132 Education professionals - evaluation reports - confidentiality. Under current law, an evaluation report and all public records used in preparing the evaluation report for licensed education personnel (personnel) are confidential and available only to the personnel being evaluated, to the duly elected official and appointed public officials who supervise the personnel's work, and to a hearing officer conducting a hearing or a court of appeals reviewing a decision of the board of education. The act extends the confidentiality of evaluation reports and public records that are used in preparing the evaluation reports to all teachers, principals, administrators, special service providers, and education support professionals.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1003 School districts - policies - opiate harm reduction. Under current law, a school district, the state charter school institute, or the governing board of a nonpublic school may adopt a policy for a school to maintain a supply of and distribute opiate antagonists. The

act allows the adoption of a similar policy for maintaining a supply of opiate antagonists on school buses and extends existing civil and criminal immunity to school bus operators and other employees present on buses if they furnish or administer an opiate antagonist in good faith, in addition to other requirements. Additionally, the act allows an adopted policy to allow an employee or agent of the school to furnish an opiate antagonist to any individual, including a student, but only if the student has received school-sponsored training.

Under current law, a school district, the state charter school institute, or the governing board of a nonpublic school may adopt a policy for a school to maintain a supply of and distribute non-laboratory synthetic opiate detection tests. The act allows the adoption of a similar policy for non-laboratory additive detection tests and extends existing civil immunity provisions to include non-laboratory additive detection tests.

The act requires a school, school district, or the state charter school institute to not prohibit a student of the school district or institute charter school to possess or administer on school grounds, on a school bus, or at any school-sponsored event an opiate antagonist and possess a non-laboratory synthetic opiate detection test or a non-laboratory additive detection test.

APPROVED by Governor April 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1087 Teaching endorsement - special education or early childhood special education. Under current law, a person seeking a teaching endorsement in special education or early childhood special education (endorsement) must complete an approved program and a student teaching practicum through an institution of higher education and pass one or more appropriate content-based exams. The act requires the department of education to issue an endorsement. Under current law, to receive the endorsement, the educator must hold a valid teaching license other than an initial license and complete coursework and assessments, as specified by rule of the state board of education (board), in a program in special education offered by an accepted institution of higher education. The act adds applicants who complete an alternative teacher preparation program (program) for special education offered by a designated agency as eligible for the endorsement. The act authorizes a person with a professional teacher license to continue in the person's current position while participating in an alternative teacher preparation program for the purpose of receiving an endorsement.

APPROVED by Governor April 19, 2024

EFFECTIVE April 19, 2024

H.B. 24-1206 School food authority - eligibility for state nutrition programs - appropriation. The act adds approved facility schools, facilities, and the Colorado school for the deaf and the blind (Colorado school) as types of school food authorities in order to make approved facility schools, facilities, and the Colorado school eligible for state nutrition programs.

For the 2023-24 state fiscal year, the act appropriates \$17,752 to the department of education for state nutrition programs.

APPROVED by Governor March 8, 2024

EFFECTIVE March 8, 2024

H.B. 24-1207 School finance - 2023-24 mid-year adjustment - appropriation. The general assembly recognizes that the actual funded pupil count and the at-risk pupil count for the 2023-24 budget year are higher than expected when the appropriation amount for the state share of total program funding was established during the 2023 legislative session, resulting in an increase in total program funding for the 2023-24 budget year.

In addition, local property tax revenue and specific ownership tax revenue are higher than anticipated, resulting in an increase in the local share of total program funding for the 2023-24 budget year.

The act declares the general assembly's intent to maintain the budget stabilization factor at the amount of the original appropriation for the 2023-24 budget year.

The act decreases the appropriation for the state share of total program funding by \$23,964,790 in cash funds from the state education fund and adjusts the 2023-24 state fiscal year long bill accordingly.

APPROVED by Governor March 8, 2024

EFFECTIVE March 8, 2024

H.B. 24-1389 School finance - new arrival students - appropriation. For the 2023-24 budget year, the act appropriates \$24 million from the state education fund to the department of education (department) to distribute one-time funding to school districts and institute charter schools that enrolled new arrival students after the 2023-24 pupil enrollment count day.

The act provides to each school district and each institute charter school that requests funding pursuant to the act:

- An amount determined by a tiered schedule that is based on the total number of new arrival students who enrolled in the school district or institute charter schools after the 2023-24 pupil enrollment count day; and
- \$4,500 for each student who is in the school district's or institute charter school's total net student population or total new arrival student population, whichever is lesser; except that, if the amount appropriated is insufficient to meet the demand, the department is required to proportionately reduce the \$4,500 amount.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1391 Educator licensure cash fund - extend continuous appropriation authority - report. Under current law, the money in the educator licensure cash fund (cash fund) is continuously appropriated through fiscal year 2023-24. The act extends the continuous appropriation authority to fiscal year 2029-30. On or before November 1, 2029, the department of education shall report to the education committees of the house of representatives and the senate and the joint budget committee concerning the revenue credited to, and expenditures from, the cash fund and shall make a recommendation whether the continuous appropriation authority should be maintained.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1393 School finance - reduce ASCENT program costs - appropriation. Under current law, the accelerating students through concurrent enrollment (ASCENT) program is available to all qualified students who are designated to participate by their local education provider. The act:

- Starting in the 2025-26 state fiscal year, caps the number of qualified students who participate in the ASCENT program at the number of qualified students who participated in the ASCENT program in the 2024-25 state fiscal year; and
- Creates additional eligibility requirements to participate in the ASCENT program.

The act requires the department of education to submit a report to the education committees of the house and the senate and the joint budget committee regarding the ASCENT program.

Under current law, the district's total program formula includes funding for a district's extended high school pupil enrollment, determined by the district's number of pupils who are concurrently enrolled in a postsecondary course multiplied by a dollar amount that annually increases. Starting in the 2024-25 state fiscal year, the act amends the district's extended high school funding formula to cap the dollar amount that is multiplied by the district's ASCENT program students within the district's extended high school funding formula.

For purposes of the act, the cash funds appropriation made in the annual general appropriation act for the 2024-25 state fiscal year is reduced by \$1,081,762, and for the 2024-25 state fiscal year, the general assembly appropriates \$45,600 to the department of education.

APPROVED by Governor April 18, 2024

PORTIONS EFFECTIVE April 18, 2024

PORTIONS EFFECTIVE July 1, 2024

H.B. 24-1394 Mill levy equalization - state charter school institute - institute charter schools - appropriation. Current law requires the general assembly to appropriate or transfer money to the mill levy equalization fund (fund) for institute charter school (institute) funding. The

act repeals the fund.

For the 2024-25 budget year and each budget year thereafter, the general assembly shall appropriate money from the general fund or the state education fund to the state charter school institute to fund full mill levy equalization for all institute charter schools.

Appropriations made in the annual general appropriation act for the 2024-25 state fiscal year to the department of education for use by the state charter school institute are adjusted as follows:

- The cash fund appropriation from the fund for institute mill levy equalization is decreased by \$735,000;
- The reappropriated funds appropriation from the fund for institute mill levy equalization is decreased by \$49,220,696;
- The general fund for institute mill levy equalization is decreased by \$22,000,000; and
- The cash funds appropriation from the state education fund for institute mill levy equalization is increased by \$22,000,000.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

EDUCATION - POSTSECONDARY

H.B. 24-1082 First-generation-serving institutions designation. The act requires the department of higher education (department) to:

- Identify and designate state institutions of higher education (state institutions) as first-generation-serving institutions if:
 - The average resident first-generation undergraduate population share for the most recent year and the 2 previous years equals or exceeds the statewide average resident first-generation undergraduate student population share for the fall 2022 term; or
 - The state institution secured a First Scholars Network of Institutions designation from the Center for First-generation Student Success or a similarly rigorous independent third-party designation;
- Post on the department's website the names of the state institutions that are so designated; and
- Notify the state institutions and the Colorado general assembly of the designations.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1131 Local college districts - board of trustees - number of trustees - election - housing on local district college land. The act authorizes the board of trustees (board) of any local college district to determine the number of trustees on the board. The act permits 9-member boards that establish board member districts to designate one or 2 board member districts as at-large districts and permits 11-member boards that establish board member districts to designate up to 3 board member districts as at-large districts.

Under existing law, voters must approve a school district's annexation into a local college district at a regular biennial school election. The act removes that restriction so that the approval vote may occur at any regular election.

The act permits a recipient of a local investments in transformational affordable housing grant for a project in a rural community or rural resort community to prioritize providing affordable housing for enrolled postsecondary students, local college district employees, and local government employees in buildings on land owned and controlled by a local college district.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1210 Student success - data system study - appropriation roll forward. Existing law requires the Colorado commission on higher education to report to the house and senate education committees information about developing the student success data system into a statewide longitudinal data system that connects K-12, postsecondary, and workforce information. A report was required on or before January 15, 2023, and on or before January 15, 2024. The act extends each deadline 2 years, so that a report is required on or before January 15, 2025, and on or before January 15, 2026.

The department of higher education was appropriated \$3 million for the student success data system. The act permits the department to spend the appropriated money through December 31, 2026.

APPROVED by Governor March 6, 2024

EFFECTIVE March 6, 2024

H.B. 24-1404 Institution of higher education - student financial assistance - appropriations - exception. Current law requires that annual appropriations for student financial assistance increase by at least the same percentage as the aggregate percentage increase of all general fund appropriations to institutions of higher education. The act creates a limited exception for appropriations that are less than \$2 million that are made through legislation other than the general appropriation act or supplemental appropriations acts.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1405 Health services - fee-for-service contracts - additional medicaid reimbursements - student assistance annual increase - appropriation. Under existing law, the appropriation to the university of Colorado for fee-for-service contracts for health services is reduced by a certain amount of additional medicaid reimbursements and payments received by the state pursuant to the federal "Families First Coronavirus Response Act" (additional medicaid payments) through December 31, 2024. The act continues this provision until July 1, 2026.

As additional medicaid payments are phased out, the general fund appropriation to the university of Colorado for fee-for-service contracts is increased. The act exempts the increased general fund appropriations in the 2024-25 and 2025-26 state fiscal years made as a result of the phased out additional medicaid payments from the required annual increase in student financial assistance.

The act reduces the appropriation to the department of higher education for the 2024-25 state fiscal year for need-based grants by \$2,273,392.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

ELECTIONS

H.B. 24-1067 Ballot access for candidates with disabilities - caucus or similarly accessible ballot access process for persons with disabilities to be maintained - precinct caucus or party assembly participation by video conference or similar, accessible means required upon request - legal liability for noncompliance - extension of time to circulate petitions for designation of party candidates. The act requires the general assembly, the secretary of state, and each political party to ensure that the caucus process or any future alternative process by which candidates may access the ballot that is accessible to persons with disabilities remains an option in the state.

Within 6 months of the effective date of the act, any person, upon request, must be able to participate in a precinct caucus or a party assembly with the use of a video conferencing platform that is accessible to persons with disabilities unless the precinct caucus or party assembly is held in a geographic location that lacks broadband internet service. When a precinct caucus or party assembly occurs in a geographic location that lacks broadband internet service, any person, upon request, must be allowed to participate by an alternative means, such as a telephone conference, which alternative means must be accessible to persons with disabilities. A political party may require that a person request to participate in a precinct caucus or party assembly by video conference, or an authorized alternative, not more than 30 days in advance of the precinct caucus or party assembly.

The failure of a political party to make a reasonable effort to comply with the requirements of the act regarding accessible means of participation in a precinct caucus or party assembly constitutes discrimination on the basis of disability in violation of current law. Any legal action taken pursuant to the act does not limit or preclude a person from seeking any other available legal remedies.

The act extends the period for party candidates to circulate petitions and obtain signatures by moving the start date from the third Tuesday to the first business day in January and making the petition filing deadline the third Tuesday in March or the 75th day after the first business day in January, whichever is later.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

GOVERNMENT - LOCAL

S.B. 24-024 Self-collecting local taxing jurisdiction - prohibition on additional reporting information from accommodation's intermediary. The act requires local taxing jurisdictions, which are limited to jurisdictions for which the department of revenue does not collect, administer, and enforce a local lodging tax, to apply the same reporting requirements or standards to an accommodation's intermediary as to a marketplace facilitator that is obligated to collect and remit a local lodging tax.

The act prohibits local taxing jurisdictions from requiring additional reporting information from an accommodation's intermediary. The act also prohibits a local taxing jurisdiction that has passed an applicable marketplace facilitator law from auditing a marketplace facilitator for sales facilitated by the marketplace at any time other than when the marketplace facilitator is filing tax returns with the local taxing jurisdiction.

The act does not prohibit a local taxing jurisdiction from requesting information maintained by an accommodation's intermediary that is in connection with an audit related to a local lodging tax or from requesting and obtaining additional information or data from a marketplace facilitator or accommodation's intermediary to be provided on a voluntary basis or prohibit a home rule municipality, for purposes unrelated to the administration of local taxes, from passing an ordinance regulating a marketplace facilitator or an accommodation's intermediary, including an ordinance governing the issuance of information or data by a marketplace facilitator or accommodation's intermediary to the home rule city.

APPROVED by Governor April 19, 2024

EFFECTIVE January 1, 2025

NOTE: This act was passed without a safety clause.

H.B. 24-1007 Housing - residential occupancy limits prohibited. The act prohibits counties, cities and counties, and municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship, while allowing local governments to implement residential occupancy limits based only on:

- Demonstrated health and safety standards, such as international building code standards, fire code regulations, or Colorado department of public health and environment wastewater and water quality standards; or
- Local, state, federal, or political subdivision affordable housing program guidelines.

APPROVED by Governor April 15, 2024

EFFECTIVE July 1, 2024

GOVERNMENT - SPECIAL DISTRICTS

H.B. 24-1267 Metropolitan districts - covenant enforcement and design review - procedural requirements - foreclosure limitations. A metropolitan district is a type of special district that provides at least 2 types of services and may perform covenant enforcement similar to the role of a homeowners' association. The act requires a metropolitan district engaging in covenant enforcement and design review services to comply with certain procedural requirements, including:

- Adopting a written policy governing the imposition and collection of fines;
- Adopting a written policy governing how disputes between the metropolitan district and a resident are addressed; and
- Refraining from prohibiting residents from engaging in certain activities regarding the use of their property, including displaying flags and signs; parking a motor vehicle in a driveway; removing certain vegetation to create a defensible space for fire mitigation purposes; performing reasonable property modifications to accommodate disabilities; using xeriscape, nonvegetative turf grass, or drought-tolerant landscaping; using a rain barrel; operating a family child care home; using renewable energy generation devices; and installing or using an energy efficiency measure. Additionally, a metropolitan district is prohibited from requiring residents to use cedar shakes or other flammable roofing materials.

The act prohibits a metropolitan district from foreclosing on any lien based on a resident's delinquent fees or other charges owed to the metropolitan district. The act also imposes certain procedural requirements regarding court actions filed by or against a metropolitan district based on an alleged violation of the metropolitan district's declaration, rules and regulations, or other instrument.

A metropolitan district that engages in design review services, but does not engage in covenant enforcement or form a homeowners' association, cannot pursue other remedies against residents to enforce its design review requirements and need not adopt the written policies required under the act.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

GOVERNMENT - STATE

H.B. 24-1044 Public employees' retirement association - employment after service retirement - reporting. With limited exceptions, current law limits the number of service retirees that a state college or university or an employer in the school or Denver public schools division of the public employees' retirement association (PERA) can hire without a reduction in the service retirees' benefits to 10 service retirees when an employer determines there is a critical shortage of qualified candidates. The act allows an employer to hire such service retirees when the employer determines there is a need.

In addition, the act authorizes an employer in the school or Denver public schools division with a student enrollment above 10,000 to hire, without a reduction in service retirees' benefits, an additional service retiree for each 1,000 students enrolled above 10,000. An employer with 10,000 students or less will continue to be allowed to hire 10 service retirees. A service retiree hired under the provisions of the bill may receive salary without a reduction in benefits for a maximum of 6 consecutive years from the date the service retiree began post-service retirement employment. The act requires an employer in the school or Denver public schools division to provide PERA with a list of all employed service retirees by September 1 of an applicable calendar year and requires PERA to submit a report to the general assembly every 5 years beginning on or before December 1, 2025, regarding the employment after service retirement allowances.

APPROVED by Governor April 19, 2024

EFFECTIVE July 1, 2024

H.B. 24-1090 Criminal justice records - access - state or municipal offices. Subject to limited exceptions, current law requires that a victim's name and identifying information be deleted from criminal justice records released to the public if the person was a victim of certain sexual offenses. The act permits the release of unredacted records to the named victim, victim's designee, or victim's lawful representative.

Subject to limited exceptions, current law requires that a child's name and identifying information be deleted from criminal justice records released to the public if the child was a victim of or witness to a criminal offense. The act permits the release of unredacted records to the office of the state public defender, the office of the alternate defense counsel, the office of respondent parents' counsel, the office of the child's representative, municipal attorneys, county attorneys, and a named child victim's lawful representative. This release requirement must be implemented by July 1, 2024.

The act clarifies that changes in 2023 to the law related to records of child victims and child witnesses apply to records pertaining to offenses committed on or after January 1, 2024. For records pertaining to earlier offenses, the law in effect prior to January 1, 2024 applies.

APPROVED by Governor February 20, 2024

EFFECTIVE February 20, 2024

H.B. 24-1093 Peace officers - provisional certification - armed forces peace officer. Under existing law, the peace officer standards and training board may grant a person a provisional certification as a peace officer if the person satisfies the requirements for a provisional certificate. One of the requirements is that the person must have been a peace officer in another state or federal jurisdiction, excluding the armed forces, within the preceding 3 years. The act removes the exception for the armed forces, so that being a peace officer in the armed forces satisfies that requirement for a provisional certificate.

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1103 Prohibition on use of the term excited delirium - law enforcement - emergency medical service providers - first responders. The act prohibits training for law enforcement personnel, emergency medical service providers, or other first responders from including the term "excited delirium"; except that in an emergency medical service provider training the term may be used in teaching the history of the term. A peace officer is prohibited from using the term "excited delirium" to describe a person in an incident report. A coroner or other person authorized to determine a cause of death shall not register "excited delirium" as the cause of death on a death certificate.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1208 Autism treatment fund - transfer of remaining funds. The autism treatment fund was repealed in 2023, but transfers to the autism treatment fund continue until July 1, 2025. The act retroactively discontinues transfers to the autism treatment fund that occur after the 2022-23 fiscal year.

On June 30, 2024, the act requires the state treasurer to transfer any balance remaining in the autism treatment fund to the tobacco litigation settlement cash fund.

APPROVED by Governor March 6, 2024

EFFECTIVE March 6, 2024

H.B. 24-1215 General fund transfers for capital construction. The act requires the following transfers to be made on April 1, 2024:

- \$18,971,100 from the general fund to the capital construction fund; and
- \$3,275,000 from the preschool programs cash fund to the information technology capital account of the capital construction fund.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

H.B. 24-1395 Public school capital construction fund - delay transfer from marijuana tax cash fund - appropriation. The act delays a \$20 million transfer from the marijuana tax cash fund to the public school capital construction assistance fund from June 1, 2024, to June 1, 2026. The act reduces the appropriation to the department of education from the public school capital construction assistance fund for the 2024-25 state fiscal year by \$20 million.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1402 Office of information technology - Colorado department of higher education - evaluation of information technology functions and services - appropriation. The act requires the office of information technology (office) in the office of the governor to evaluate, or contract with a third party to evaluate, the information technology functions and services of the department of higher education (department) for the purpose of assessing possibilities for consolidating existing information technology functions and services with those information technology functions and services managed by the office, and if the evaluation shows that consolidation would be beneficial, create a proposed plan and accompanying budget for consolidating the department's information technology functions and services with those information technology functions and services managed by the office.

The act appropriates \$280,000 for the 2024-25 state fiscal year from the general fund to the governor's office for allocation to the office of the governor to implement the act.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1414 COVID heroes collaboration fund - transfer to general fund - repeal. The act repeals the COVID heroes collaboration fund on July 31, 2024. Prior to the repeal, on July 1, 2024, the state treasurer shall transfer the unexpended and unencumbered money in the COVID heroes collaboration fund to the general fund.

APPROVED by Governor April 19, 2024

EFFECTIVE April 19, 2024

H.B. 24-1418 Hazardous substance site response fund - hazardous substance response fund - transfers - budget balancing bill. The act directs the state treasurer to transfer the money in the hazardous substance site response fund to the hazardous substance response fund through 2 transfers. The act requires the state treasurer to:

- Transfer \$4 million to the hazardous substance response fund from the hazardous substance site response fund on May 1, 2024; and
- Transfer to the hazardous substance response fund the unexpended and

unencumbered money in the hazardous substance site response fund on May 1, 2025.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1420 General fund - Colorado crime victim services fund - transfer - budget balancing act. The act requires the state treasurer to transfer \$4 million from the general fund to the Colorado crime victim services fund on July 1, 2024.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1424 College opportunity fund - transfer - budget balancing act. The act requires the state treasurer to transfer \$1,496,000 from the college opportunity fund to the general fund on June 30, 2024.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

HEALTH AND ENVIRONMENT

H.B. 24-1081 Products control and safety - sodium nitrite - limitation on sales - labeling - civil penalties. The act limits the sale or transfer of a product containing sodium nitrite in a concentration greater than 10% of the mass or volume of the product (covered product) to commercial businesses that are verified to require a covered product.

The act requires covered products to meet specified labeling requirements.

A person who violates the requirements of the act is subject to a civil penalty of \$10,000 for a first offense and up to \$1,000,000 for a second or subsequent violation. The attorney general or an aggrieved individual may bring a civil action to enforce the act and, if an aggrieved individual prevails in a civil action, the aggrieved individual is entitled to the greater of actual economic damages or \$3,000, attorney fees, and costs.

APPROVED by Governor April 17, 2024

EFFECTIVE July 1, 2024

H.B. 24-1214 Community crime victims grant program - appropriations. Under current law, there is a community crime victims grant program (program) and associated cash fund (cash fund) that provides funding for support services to crime victims. The act reduces the current general fund appropriation for the program by \$4 million and requires that \$4 million be transferred from the general fund to the cash fund. The act appropriates \$1 million in fiscal year 2023-24 to the department of public health and environment from the cash fund for the program. The act exempts the cash fund from the statutory reserve limit and makes the cash fund subject to annual appropriations.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

H.B. 24-1419 Stationary sources fund - transfer from the energy and carbon management cash fund. The act requires the state treasurer to transfer \$10 million from the energy and carbon management cash fund to the stationary sources control fund on June 30, 2024.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

HEALTH CARE POLICY AND FINANCING

H.B. 24-1086 Denver health and hospital authority - managed care organization contract - reimbursement rates. Current law requires the department of health care policy and financing (department) to offer to enter into a direct contract with the managed care organization (MCO) operated by or under the control of the Denver health and hospital authority (Denver health) until Denver health ceases to operate a medicaid managed care program or until June 30, 2025. The act removes the option for the department to enter into a direct contract until June 30, 2025, and instead requires the department to enter into the contract from July 1, 2025, until June 30, 2032, as long as the MCO meets all MCO criteria required by the department.

If the department designates a managed care entity (MCE) other than the MCO operated by Denver health to manage behavioral health-care services, the act requires Denver health to collaborate with the MCE during the term of the contract.

The act prohibits the MCO from reimbursing contracted medicaid providers at rates that are higher than the department's medicaid fee for service rates unless the provider enters into a quality incentive agreement with the MCO.

For the 2023-24 state fiscal year, the department distributed money appropriated for a supplemental state payment to Denver health. The act authorizes the department to continually distribute any money appropriated for payment to Denver health.

APPROVED by Governor April 4, 2024

EFFECTIVE April 4, 2024

H.B. 24-1146 Medicaid provider enrollment suspension - organized crime - organized fraud. The act authorizes the department of health care policy and financing (state department) to suspend the enrollment of a medicaid and children's basic health plan (programs) provider only if the state department identifies that the provider is participating in an alleged and ongoing organized crime or organized fraud scheme (scheme) that impacts the programs and if the state department documents in writing that at least 3 of the following factors are met:

- The provider has been enrolled in the programs for less than 3 years;
- At least 3 providers are involved in the scheme;
- The collective billing amount identified in the scheme exceeds \$1 million;
- The provider's billing indicates a pattern of abuse or noncompliance;
- The volume of claims or billing amount has increased at a significant rate and there is no other reasonable explanation for the increase;
- The federal centers for medicare and medicaid services has approved a provider enrollment moratorium for the provider type involved in the scheme;
- or
- The state department has notified law enforcement of the scheme.

The state department is required to notify the provider of the suspension in writing, including the reasons for the suspension.

The state department may suspend a provider's enrollment for an initial period of 6 months while the state department conducts a review of the scheme. After the state department's review is complete, the state department must reinstate the provider's enrollment if the department determines the provider did not engage in a scheme. If the state department's review cannot be completed during the initial 6-month period, the state department may extend the review period in additional 6-month increments if the state department documents in writing the necessity for extending the review.

APPROVED by Governor February 20, 2024

EFFECTIVE February 20, 2024

H.B. 24-1399 Hospital discounted care - advisory committee - repeal Colorado Indigent Care Program. The act repeals the "Colorado Indigent Care Program" on July 1, 2025.

For purposes of comprehensive primary care services, current law defines an "uninsured or medically indigent patient" as a patient whose yearly family income is below 200% of the federal poverty line (FPL). The act requires the patient's annual household income to be at or below 200% of the FPL.

Beginning February 1, 2026, and each February 1 thereafter, the act requires the executive director of the department of health care policy and financing (state department) to prepare and submit an annual report to the general assembly, the joint budget committee, the governor, and the medical services board concerning the status of the primary care fund.

The act creates the hospital discounted care advisory committee in the state department to advise the state department on the operations and policies of health-care billing for indigent patients. The act repeals the advisory committee on September 1, 2029.

No later than July 1, 2025, the act requires the medical services board, in consultation with the Colorado healthcare affordability and sustainability enterprise, to promulgate rules concerning the policy for qualification for disproportionate share hospital payments.

APPROVED by Governor April 18, 2024

EFFECTIVE July 1, 2025

NOTE: This act was passed without a safety clause.

H.B. 24-1400 Income and asset verification for medicaid eligibility- procedural termination - federal authorization. Current law suspends certain provisions related to medicaid eligibility until June 1, 2024. The act extends the suspension of those provisions until January 1, 2025.

The act authorizes the department of health care policy and financing (state department) to seek federal authorization to not require additional verification during a medicaid member's (member) eligibility reenrollment process if information about the member's income or assets is not verified through a federally approved electronic data

source.

For a member's income verification, the act authorizes the state department to use the information on file or the information that was originally collected during the application process to determine whether the member is eligible for reenrollment. The state department shall require additional income verification if information about a member's income is not verified through a federally approved electronic data source for 2 or more consecutive years or as specified through federal authorization.

For a member's asset verification, the state department may complete the member's eligibility reenrollment process without any additional asset verification if there has been no change in the member's assets since the initial verification during the application process or as specified through federal authorization.

The act authorizes the state department to seek federal authorization to delay a member's procedural termination during the reenrollment process to allow the member to continue receiving necessary services during the reenrollment process. The act authorizes the state department to apply this delay in procedural termination to a specific population or as specified through federal authorization.

The act authorizes the state department to seek federal authorization to allow an applicant's or member's eligibility for reenrollment to be based on financial findings from the supplemental nutrition assistance program, the temporary assistance for needy families program, and other means-tested benefit programs administered through the Colorado benefits management system. The state department may apply financial eligibility for medicaid to individuals whose gross income program and assets for applicable means-tested benefit programs are below applicable medicaid limits, regardless of differences in household composition and income-counting rules between programs or as specified through federal authorization.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

H.B. 24-1401 Appropriation for Denver health and hospital authority. For the 2023-24 state fiscal year, the department of health care policy and financing (department) distributed money appropriated for a supplemental state payment to the Denver health and hospital authority (Denver health). The act authorizes the department to continually distribute any money appropriated by the general assembly for payment to Denver health.

For the 2024-25 state fiscal year, the act appropriates \$5 million to the department for payments to Denver health.

APPROVED by Governor April 18, 2024

EFFECTIVE April 18, 2024

HUMAN SERVICES - SOCIAL SERVICES

H.B. 24-1017 Foster care - foster youth - bill of rights. The act establishes a statutory bill of rights for children and youth (youth) in foster care in Colorado, including youth participating in the foster youth in transition program but excluding youth detained by or committed to the care and physical custody of the division of youth services. The office of the child's representative shall develop a written notice of the rights, and a county department of human or social services shall provide each youth who is 5 years of age or older with the written notice in the youth's primary language at the time of the youth's initial placement in foster care, at each placement change, and at least annually.

APPROVED by Governor April 24, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1211 State funding for senior services contingency reserve fund - subject to sunset review - appropriation. The act creates the state funding for senior services contingency reserve fund (fund) in the department of the treasury to aid the state office on aging in addressing unforeseen circumstances experienced by an area agency on aging or a provider of eligible services.

The act sets criteria that must be met for an area agency on aging or a provider of eligible services to receive money from the fund.

For the 2023-24 fiscal year, the act appropriates \$2million from the fund to the department of human services for use by the office of adults, aging, and disability services.

The fund is repealed, effective September 1, 2029. Prior to repeal, the fund is subject to a sunset review.

APPROVED by Governor February 27, 2024

EFFECTIVE February 27, 2024

H.B. 24-1277 Youth restraint and seclusion working group - sunset - repeal. The youth restraint and seclusion working group (working group) is set to repeal September 1, 2024. The act extends the working group until September 1, 2034 and requires a sunset review prior to its repeal.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1407 Community food assistance provider grant program - supplemental nutrition assistance program - fuel assistance payments - appropriation. The act combines the food pantry assistance program and the food bank assistance program into a single program named

the community food assistance provider grant program (grant program) in the department of human services (state department). The purpose of the grant program is to provide grants to procure and distribute nutritious foods that meet the needs of eligible entities' clientele. The state department may contract with a third-party vendor to solicit, vet, award, and monitor grants. The state department shall include information regarding the grant program at its "SMART Act" hearing.

The act allows a recipient of the supplemental nutrition assistance program (recipient) to receive fuel assistance payments through the same payment mechanism that the recipient uses to receive other cash assistance benefits.

For the 2024-25 state fiscal year, the act appropriates \$3,000,000 from the general fund to the state department for the use by the office of economic security for the grant program.

APPROVED by Governor April 18, 2024

EFFECTIVE July 1, 2024

INSURANCE

S.B. 24-093 Health insurance - medical assistance program - transition to new health benefit plan - continuity of health-care benefits. The act allows an enrollee in the state medicaid program or with a private health insurance carrier whose coverage has been terminated or not renewed to receive continued care with the enrollee's same health-care provider or health-care facility under the enrollee's new health benefit plan at the in-network level under the enrollee's new health benefit plan for specified time periods if certain conditions exist.

APPROVED by Governor April 4, 2024

EFFECTIVE January 1, 2025

NOTE: This act was passed without a safety clause.

H.B. 24-1035 Colorado health benefit exchange - reporting requirements - timing and content of reports - legislative oversight committee meetings. The act modifies provisions governing the Colorado health benefit exchange (exchange) by:

- Eliminating the requirement for the board of directors of the exchange (board) to submit a report on the development of the exchange to the governor and the general assembly by January 15 and instead requiring the report to be submitted annually and to address open enrollment;
- Requiring the board to also present an open enrollment update to specified legislative committees during each legislative session;
- Requiring the exchange, rather than the board, to annually present to the Colorado health insurance exchange oversight committee (committee) the exchange's financial and operational plans and the major actions taken by the board; and
- Modifying the number of meetings of the committee during the interim.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1119 Insurance taxes - filing with division of insurance - rules. The act requires insurance premium taxes, surplus lines taxes, and other associated state-specific insurance tax filings to be filed through a secure web-based application identified by the division of insurance. The act also authorizes the commissioner of the division of insurance (commissioner) to contract with a third party to provide a secure web-based application system that allows premium taxes, surplus lines taxes, and other state-specific filings to be filed for multiple states on a single web-based application system. The commissioner is authorized to promulgate rules to implement, operate, and enforce the requirements of the act. The act applies to tax filings submitted on or after January 1, 2025.

APPROVED by Governor March 22, 2024

EFFECTIVE March 22, 2024

H.B. 24-1309 Volunteer Service Act - civil liability for volunteers - backcountry search and rescue - use of helicopter in search and rescue operations - airspace deconfliction working group. The act extends immunity from civil liability for damage or injury, other than that which arises from gross negligence or willful misconduct, to an individual, nonprofit organization, for-profit corporation, private organization, or other person (person) that voluntarily operates or arranges for the use of a helicopter, or assists as a helicopter crew member, during backcountry search and rescue operations (search and rescue operations), if the person:

- Arranges for the use of or operates, or assists as a crew member of, the helicopter on behalf of the governmental entity that is leading the search and rescue operation;
- Has an agreement with the governmental entity;
- Is, employs, or otherwise contracts with a pilot that is properly licensed to operate the helicopter;
- Is not compensated by the governmental entity for assisting in the search and rescue operation, other than reimbursement for actual expenses incurred; and
- Meets certain safety and training certifications and requirements.

The act also establishes criteria that volunteer helicopter pilots and the helicopters used in search and rescue operations must satisfy in order for the volunteer helicopter owner or operator to qualify for immunity under the act.

The act establishes the airspace deconfliction working group within the department of public safety. The working group consists of representatives from the department of public safety, the department of military and veterans affairs, and county sheriffs' offices. The working group must develop guidelines for airspace deconfliction when there could be multiple aircraft involved in a search and rescue operation.

APPROVED by Governor May 3, 2024

EFFECTIVE May 3, 2024

LABOR AND INDUSTRY

S.B. 24-103 Department of labor and employment - Colorado talent report - immigration legal defense fund - state apprenticeship agency - apprenticeship committee membership - corrections and clarifications. Section 1 of the act corrects a cross reference to the annual Colorado talent report by deleting a reference to a subsection that does not exist within the article regarding intrastate air service within the state of Colorado.

Section 2 removes unnecessary language to clarify that a qualifying organization that receives a grant from the immigration legal defense fund shall only use the grant for services that include providing indigent clients with representation before the board of immigration appeals within the United States department of justice, but not representation before a United States district court, a United States circuit court of appeals, or the United States supreme court.

Section 3 clarifies that the "approval" granted by a state apprenticeship agency refers to the approval of an apprenticeship program.

Sections 4 and 5 correct inconsistencies in the membership of 2 committees regarding apprenticeships. Current law establishing the committee for apprenticeship in the building and construction trades (CABCT) states that the CABCT consists of 16 members, but the statute outlines the appointment of 17 members. The act changes the total membership of the CABCT to 17 members. Current law also dictates that the governor appoints 7 members to serve concurrently on both the CABCT and the committee for apprenticeship in new and emerging industries (CANEI). This conflicts with current law establishing the CANEI, which states that the governor appoints 6 members to the CANEI, only 5 of whom serve concurrently on the CABCT. There are presently 7 members appointed by the governor on the CANEI who serve concurrently on the CABCT. The act resolves this conflict by clarifying that the governor appoints 7 members to the CANEI, all of whom are concurrently appointed to the CABCT.

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 24-105 Environmental response surcharge - fuel products fee - PFAS cash fund fee. Under current law, manufacturers and distributors of fuel products in the state are required to pay a fee each calendar month to the department of revenue (department). The fee is deposited in the petroleum storage tank fund. The department also collects another fee (PFAS cash fund fee) to fund the perfluoroalkyl and polyfluoroalkyl substances cash fund, support the department of transportation, support the Colorado state patrol, and pay the costs to the department for administering the fee.

The act clarifies the fee amounts that the department is required to collect for the petroleum storage tank fund. The act also repeals outdated provisions regarding the PFAS

cash fund fee and clarifies that the department must annually transmit the collected fee to the state treasurer.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

MILITARY AND VETERANS

S.B. 24-004 County veterans service offices - administration - officer qualifications. Under current law, the division of veterans affairs (division) in the department of military and veterans affairs has a duty to supervise county veterans service offices (county offices). The act changes the division's duty to instead monitor county offices.

The act changes procedures for the division's payment to counties for the performance of certain veterans services, and requires the division to convene a working group that includes county commissioners to develop a method for distributing state-funded payments.

Under current law, the board of county commissioners (board) appoints all veterans service officers and staff for county offices. The board is required to appoint a county veterans service officer, and may authorize the appointed county veterans service officer to hire additional county veterans service officers and staff as the board finds necessary.

Under current law, a county veterans service officer is required to have certain military qualifications. The act requires only an appointed county veterans service officer to have these military qualifications.

The act adds state certification and United States department of veterans affairs accreditation requirements in order to be a county veterans service officer and for a county veterans service officer to be eligible to serve as a claimant's representative and to assist a veteran claimant with the preparation, presentation, or prosecution of a claim for a United States department of veterans affairs benefit.

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

MOTOR VEHICLES AND TRAFFIC REGULATION

S.B. 24-079 Traffic offenses - motorcycles - overtaking or passing stopped traffic authorized. The act authorizes the driver of a 2-wheeled motorcycle to overtake or pass another motor vehicle in the same lane if:

- The traffic is stopped;
- The road has lanes wide enough to pass safely;
- The motorcycle is moving at 15 miles per hour or less; and
- Conditions permit prudent operation of the motorcycle while overtaking or passing.

A motorcycle driver overtaking or passing under the act must not overtake or pass:

- On the right shoulder;
- To the right of a vehicle in the farthest right-hand lane if the highway is not limited access; or
- In a lane of traffic moving in the opposite direction.

The authorization to overtake or pass is repealed, effective September 1, 2027. Before the repeal, the Colorado department of transportation will analyze safety data on the act and issue a report to the general assembly.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

NATURAL RESOURCES

S.B. 24-056 Parks and wildlife - public land - snowmobile use permit. The snowmobile recreation fund is used to, among other things, establish and maintain snowmobile trails and related facilities. A resident of Colorado who uses a snowmobile on publicly owned land must register the snowmobile and pay a fee, which is deposited in the snowmobile recreation fund. The act replaces a \$5 per registration cap with a 17% cap on the amount of the fee that can be used for administration purposes.

The act creates an out-of-state snowmobile permit that an owner or operator of an out-of-state snowmobile must obtain and display to drive the snowmobile on publicly owned land. To get the permit, the owner must pay a fee in an amount set by the parks and wildlife commission.

Exceptions are created for snowmobiles:

- Owned by governments;
- Operated in an organized event authorized by the government with jurisdiction over the land on which the snowmobile is operated; and
- Operated on publicly owned land for nonrecreational purposes.

Concerning the requirement to register a snowmobile, the current exception on private-land commercial use is extended to all private land use by repealing the commercial use element.

The fine for a violation is \$100. Permits are valid for one year from October 1 to September 30 and are issued by agents of the director of the division of parks and wildlife.

A search and rescue program pays for backcountry search and rescue operations. Snowmobile and off-highway vehicle registrations require the payment of a search and rescue fee, which entitles the payer of the fee to be covered by the program. The act adds the search and rescue fee to out-of-state snowmobile permits and off-highway use permits.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1257 Parks and wildlife - Colorado natural areas council - continuation under sunset law. The act continues the Colorado natural areas council, an advisory council to the parks and wildlife commission, for 10 years until September 1, 2034, subject to sunset review.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

PROFESSIONS AND OCCUPATIONS

H.B. 24-1047 Veterinary practice - veterinary technician scope of practice - supervision and delegation of tasks - designation of veterinary technician specialists - rules. On or before September 1, 2025, the board of veterinary medicine (board) is required to promulgate rules establishing certain tasks that a licensed veterinarian may delegate to veterinary technicians and veterinary technician specialists and the recommended level of supervision for the tasks.

A licensed veterinarian may delegate tasks pursuant to the board's rules after first establishing a veterinarian-client-patient relationship with an animal or group of animals and the owner of the animal or animals. The licensed veterinarian is required to provide an appropriate level of supervision of the veterinary technician or veterinary technician specialist in accordance with applicable rules of the board. If there are not applicable rules related to the specific task that is being delegated, the veterinarian may delegate the task based on the assessment of the veterinary medical care being provided, the experience, education, and training of the person providing the care, and in compliance with all state and federal laws.

Beginning on January 1, 2026, the act authorizes a veterinary technician to apply to the board to receive a veterinary technician specialist designation as part of the veterinary technician's registration, grants title protection for veterinary technician specialists, and prohibits the unauthorized practice as a veterinary technician specialist by a person who does not have a veterinary technician specialist designation.

APPROVED by Governor March 22, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1048 Veterinary services - use of telehealth - veterinarian-client-patient relationship - rules - requirements - record-keeping. The act concerns the use of telehealth to provide veterinary services. The act defines different types of telehealth tools that can be used in a veterinary practice.

In current law, one criterion for the establishment of a veterinarian-client-patient relationship is that the veterinarian has conducted an examination of the animal that is the patient. The act clarifies that the examination must be an in-person, physical examination. The act also extends the veterinarian-client-patient relationship to other licensed veterinarians who share the same physical premises as the veterinarian who established the relationship if the other veterinarians have access to and have reviewed the patient's medical records.

The act allows a licensed veterinarian who has established a veterinarian-client-patient relationship to use telehealth to provide veterinary services to clients and patients in Colorado with the consent of the client. A licensed veterinarian may also refer a patient to a veterinary specialist, who may provide veterinary services via telemedicine under the referring veterinarian's veterinarian-client-patient relationship.

The act authorizes the state board of veterinary medicine to establish rules for the use of telehealth to provide veterinary services.

The act clarifies that only a licensed veterinarian with an established veterinarian-client-patient relationship may prescribe medication using telemedicine.

The act allows a licensed veterinarian who has established a veterinarian-client-patient relationship to supervise a registered veterinary technician who is not located on the same premises using telesupervision if the veterinarian and the registered veterinary technician are employees of the same veterinary practice location, the veterinary professionals are licensed or registered in Colorado, and the patient is located in Colorado.

The act establishes record-keeping, confidentiality, and privacy requirements related to the use of telehealth.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1097 Occupational credential portability program - spouses and dependents of military members and qualified servicemembers. Effective September 1, 2024, the act makes changes to Colorado's occupational credential portability program (program) relating to the spouses and dependents of military members and other qualified servicemembers serving in the United States uniformed services, including:

- In addition to military spouses already covered by the program, allowing gold star military spouses, dependents of military members, and spouses and dependents of other qualified servicemembers who are licensed, certified, registered, or enrolled in a profession or occupation (credentialed) in good standing in another state or United States territory (current state) to be credentialed in Colorado by endorsement from the current state to practice the same profession or occupation in Colorado;
- Allowing an applicant to be credentialed under the program if the applicant committed an act that would have been grounds for discipline in this state, but for which the applicant remains in good standing in the current state because the act is not grounds for discipline in the current state;
- Removing the 3-year limitation and nonrenewal provision for a military spouse's credential and allowing military spouses, gold star military spouses, military dependents, and spouses and dependents of other qualified servicemembers to obtain a renewable 6-year credential while in Colorado;
- Waiving the application and renewal fee for Colorado credentials issued to military spouses, gold star military spouses, military dependents, and spouses and dependents of other qualified servicemembers; and
- Expanding eligibility for the program to spouses and dependents of Armed

Forces Reserve, Ready Reserve, National Guard members in Colorado, and spouses and dependents of other qualified servicemembers.

APPROVED by Governor April 17, 2024

EFFECTIVE September 1, 2024

PROPERTY

S.B. 24-021 Common interest communities - statutory requirements - exemptions for certain small communities. Current law exempts certain small cooperatives and limited-expense planned communities from most of the requirements of the "Colorado Common Interest Ownership Act", which governs the conduct of homeowners' associations (associations). A cooperative or planned community may avail itself of the exemption if:

- A cooperative was created on or after July 1, 1992, but before July 1, 1998, and either contains only units restricted to nonresidential use or contains no more than 10 units and is not subject to any development rights;
- A planned community was created on or after July 1, 1992, but before July 1, 1998, and contains no more than 10 units and is not subject to any development rights, or if a planned community provides in its declaration that the annual average common expense liability of each unit restricted to residential purposes may not exceed \$400, as adjusted for changes in the consumer price index (CPI);
- A cooperative or planned community was created on or after July 1, 1998, and contains only units restricted to nonresidential use or contains no more than 20 units and is not subject to any development rights; or
- A planned community was created after July 1, 1998, and provides in its declaration that the annual average common expense liability of each unit restricted to residential purposes may not exceed \$400, as adjusted for changes in the CPI.

The act combines these exemptions, with amendments, to state that a cooperative or planned community may avail itself of the exemption if:

- A cooperative or planned community was created on or after July 1, 1992, and either contains only units restricted to nonresidential use or contains no more than 20 units and is not subject to any development rights; or
- A planned community provides in its declaration that the annual average common expense liability of each unit restricted to residential purposes must not exceed \$400, as adjusted annually since July 1, 1999, for changes in the CPI.

A cooperative or planned community that may avail itself of the exemption may elect instead to be subject to the entire "Colorado Common Interest Ownership Act" by adopting an amendment to its declaration evidencing its election.

The act requires the HOA information officer in the department of regulatory agencies

to provide notice of the act to cooperatives and planned communities that are affected by the act, including notice of the option to opt out of the exemption.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 24-058 Owners of recreational areas - liability - willful or malicious failure to guard or warn against a known dangerous condition, use, structure, or activity likely to cause harm - warning signs. In current law, the "Colorado Recreational Use Statute" (CRUS) protects landowners (owners) from liability resulting from the use of their lands by other individuals for recreational purposes. However, the CRUS does not limit an owner's liability for injuries or death resulting from the owner's willful or malicious failure to guard or warn against a known dangerous condition, use, structure, or activity likely to cause harm (willful or malicious failure).

The act states that under such circumstances, an owner does not commit a willful or malicious failure if:

- Prior to the injury or death, the owner posts a warning sign at the primary access point where the individual entered the land, which sign satisfies certain criteria;
- The owner maintains photographic or other evidence of each such sign; and
- The dangerous condition, use, structure, or activity that caused the injury or death is described by the sign.

The act requires an individual who accesses land for recreational purposes to stay on the designated recreational trail, route, area, or roadway unless the owner expressly allows otherwise, or be deemed a trespasser.

Currently, the CRUS states that "owner" includes the possessor of any interest in land. The act clarifies that "owner" includes a possessor or holder of a conservation easement.

The act states that the CRUS may not be construed to limit an owner's ability to restrict or prohibit the use of the owner's land for any recreational purposes.

The act also updates certain archaic language within the CRUS.

APPROVED by Governor March 15, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 24-134 Colorado Common Interest Ownership Act - unit owners' associations -

prohibitions contrary to public policy - local government ordinances - operation of home-based businesses. The act prohibits a unit owners' association from prohibiting the operation of a home-based business in a common interest community. The operation of a home-based business must still comply with any applicable and reasonable unit owners' association rules or regulations related to architectural control, parking, landscaping, noise, nuisance, and other matters that may impact the operation of a home-based business. The operation of a home-based business must also comply with municipal and county noise and nuisance ordinances or resolutions.

APPROVED by Governor April 19, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1091 Residential real property - covenants - no prohibition on fire-hardened building materials - design and aesthetic standards for fire-hardened fencing materials permitted. The act generally prohibits covenants and other restrictions that disallow the installation, use, or maintenance of fire-hardened building materials in residential real property, including in common interest communities. However, the act allows a unit owners' association of a common interest community to develop reasonable standards regarding the design, dimensions, placement, or external appearance of fire-hardened building materials used for fencing within the community.

APPROVED by Governor March 12, 2024

EFFECTIVE March 12, 2024

H.B. 24-1098 Tenants and landlords - cause required for eviction of a residential tenant. With certain exceptions, the act prohibits a landlord from evicting a residential tenant unless the landlord has cause for eviction. Cause exists only when:

- A tenant or lessee is guilty of an unlawful detention of real property under certain circumstances described in existing law, as amended by the act;
- A tenant or lessee engages in conduct that creates a nuisance or disturbance that interferes with the quiet enjoyment of the landlord or other tenants at the property or an immediately adjacent property, or where the tenant negligently damaged the property; or
- Conditions exist constituting grounds for a "no-fault eviction".

The following conditions constitute grounds for a "no-fault eviction" of a residential tenant, with certain limitations:

- Demolition or conversion of the residential premises;
- Substantial repairs or renovations to the residential premises;
- Occupancy of the residential premises is assumed by the landlord or a family member of the landlord;
- Withdrawal of the residential premises from the rental market for the purpose

- of selling the residential premises;
- A tenant refuses to sign a new lease with reasonable terms; and
- A tenant has a history of nonpayment of rent.

If a landlord proceeds with an eviction of a tenant without cause, the tenant may seek relief as provided in existing laws concerning unlawful removal of a tenant and may assert the landlord's violation as an affirmative defense to an eviction proceeding.

Current law allows a tenant to terminate a tenancy by serving written notice to the landlord within a prescribed time period, based on the length of the tenancy. For the purpose of such notices, certain provisions apply, including the following:

- Any person in possession of real property with the assent of the owner is presumed to be a tenant at will until the contrary is shown; and
- Certain provisions concerning notices to quit do not apply to the termination of a residential tenancy if the residential premises is a condominium unit.

The act eliminates these provisions.

Current law requires the management of a mobile home park to make a reasonable effort to notify a resident of the management's intention to enter the mobile home space at least 48 hours before entry. The act increases this notice period to 72 hours.

APPROVED by Governor April 19, 2024

EFFECTIVE April 19, 2024

STATUTES

H.B. 24-1020 Enactment of Colorado Revised Statutes 2023. The act enacts the softbound volumes of the Colorado Revised Statutes 2023, the subsequent changes approved by the voters at the statewide election on November 7, 2023, and the 2023 Colorado First Extraordinary Session Supplement as the positive and statutory law of the state of Colorado and establishes the effective date of said publication.

APPROVED by Governor February 20, 2024

EFFECTIVE February 20, 2024

TAXATION

S.B. 24-002 Property tax - county and municipal property tax incentive programs - tax credits or rebates offered to address area of specific local concern - program definitions and requirements. The act authorizes a board of county commissioners to establish an incentive program to offer limited county property tax credits or rebates to participants in a program designed to directly improve an area of specific local concern related to the use of real property in the county.

An "area of specific local concern" is defined in the act as a use of real property in the county that is determined by the board of county commissioners to be diminishing or unavailable based on verifiable data and which use the board of county commissioners finds and declares necessary for the preservation of the health, safety, or welfare of the residents of the county, including as to matters of equity, access to housing, and access to education. An "area of specific local concern" does not include a use of real property in a county that harms or may reasonably be expected to harm a disproportionately impacted community or prevents or may reasonably be expected to prevent meeting minimum greenhouse gas emission reduction goals and deadlines.

An incentive program must be established by resolution or ordinance adopted by a board of county commissioners at a public hearing, which resolution or ordinance must include the board's findings and determinations regarding the specific area of local concern and specific criteria for the qualification of program participants. The county must provide notice of the hearing, including specified information regarding the incentive program, to the clerk of each municipality that is wholly or partly located in the county and that may be impacted by the incentive program. Each such municipality must be allowed to submit written comments and provide testimony at the hearing.

Incentive programs must be evaluated on an annual basis and may be renewed only if determined to be effective. An incentive program must be uniformly applied among all owners of the same class of real or commercial property.

The act also authorizes municipalities to establish an incentive program offering limited municipal property tax credits or rebates to participants in a program designed to directly improve an area of specific local concern related to the use of real property in the municipality. A municipal incentive program is subject to the same substantive and procedural requirements as a county program, including the requirement to provide notice of the public hearing regarding the incentive program, and an opportunity to submit written comments and provide testimony at such hearing, to each county that includes all or any portion of the municipality and that may be impacted by the incentive program.

APPROVED by Governor March 15, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 24-023 Sales and use tax - electronic collection and remittance system - GIS database

- vendor held harmless for errors in data - department to update database. The department of revenue (department) owns, maintains, and provides to vendors a GIS database that enables vendors to determine the jurisdictions to which sales or use tax is owed and to calculate appropriate sales and use tax rates for individual addresses. The act establishes that any vendor that properly uses and reasonably relies on the information in the GIS database to determine the tax rate and local taxing jurisdictions to which sales or use tax is owed is held harmless in an audit by a local taxing jurisdiction for an underpayment of or failure to remit a tax, charge, or fee if the underpayment or failure to pay results solely from an error or omission in the GIS database data.

The act requires the department to update the GIS database within 30 days after receipt of updated or corrected information from a local taxing jurisdiction, provide a reasonably convenient method for a local taxing jurisdiction to report an error in the GIS database data, and ensure that the jurisdictional boundaries and tax rates data is at least 95% accurate.

APPROVED by Governor April 19, 2024

EFFECTIVE April 19, 2024

H.B. 24-1041 Increased threshold for permissive quarterly sales and use tax returns and tax payments - prohibition on collection of sales and use tax by certain home rule jurisdictions from retailers lacking physical presence in state - exceptions to prohibition. The executive director of the department of revenue (executive director) has been authorized to permit taxpayers that remit sales and use tax to the department of revenue and whose monthly tax collected is less than \$300 to make returns and pay taxes at quarterly intervals. The act increases this threshold amount from \$300 to \$600 for returns that must be filed on or after January 1, 2025, and allows the executive director to further increase the threshold amount by rule for returns that must be filed on or after January 1, 2026.

The act prohibits home rule cities, towns, and city and counties that collect their own sales and use taxes and do not use the electronic sales and use tax simplification system administered by the department of revenue from collecting sales and use tax from a retailer that does not have physical presence in the state unless the retailer elects to collect and remit sales and use tax or enters into a voluntary collection agreement with a home rule city, town, or city and county.

For the 2024-25 state fiscal year, \$17,200 is appropriated from the general fund to the department of revenue for the implementation of the act.

APPROVED by Governor April 4, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1084 Earned income tax credit - increase in amount for 2023 - refund of excess state revenues - appropriation. The act repeals and reenacts law originally enacted by House

Bill 23B-1002, concerning an increase in the earned income tax credit for income tax year 2023, and, in connection therewith, making an appropriation, to increase the amount of the earned income tax credit that a resident individual may claim on the resident individual's state income tax return for 2023 only from 25% to 50% of the federal credit claimed on the resident individual's federal income tax return. The increase in the amount of the credit is a one-time mechanism for refunding excess state revenues for the 2022-23 state fiscal year that are required to be refunded in the 2023-24 state fiscal year.

For the 2023-24 state fiscal year, the act appropriates \$51,483 from the general fund to the department of revenue and reappropriates \$516 of that amount to the department of personnel for implementation of the act.

APPROVED by Governor January 31, 2024

EFFECTIVE January 31, 2024

UNITED STATES

S.B. 24-074 Concurrent legislative jurisdiction - Colorado and the United States - United States military installation property. The act permits, subject to conditions, concurrent legislative jurisdiction between the state of Colorado and the United States over specified United States military installation property.

APPROVED by Governor April 4, 2024

EFFECTIVE April 4, 2024

WATER AND IRRIGATION

S.B. 24-005 Prohibition of nonfunctional turf, artificial turf, and invasive plant species - local governments - state facilities. On and after January 1, 2026, the act prohibits local governments from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species on commercial, institutional, or industrial property, common interest community property, or a street right-of-way, parking lot, median, or transportation corridor. The act also prohibits the department of personnel from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species as part of a project for the construction or renovation of a state facility, which project design commences on or after January 1, 2025. Artificial turf on athletic fields of play is exempted from the prohibitions.

APPROVED by Governor March 15, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die. This act does not apply to projects approved by the department of personnel or a local entity before the effective date of this act.

S.B. 24-148 Storm water detention - diversion for precipitation harvesting - pilot project. Under current law, an entity that owns, operates, or has oversight over a storm water detention and infiltration facility (facility) is not allowed to divert, store, or otherwise use water detained in the facility. For facilities that are also approved for use as a precipitation harvesting facility, the act authorizes the use of water detained in the facility pursuant to an approved precipitation harvesting pilot project if precipitation captured in the facility for beneficial use is replaced and any other water captured is managed and released back to the stream system.

APPROVED by Governor April 11, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 24-1062 Administrative warrants for metropolitan sewage disposal districts. To protect public health and the environment, a metropolitan sewage disposal district (district) is required to ensure that wastewater generated by local businesses is properly treated pursuant to the industrial pretreatment program (program) approved by the environmental protection agency. This requires district inspectors to inspect certain properties to investigate actual, suspected, or potential violations of the program. Under current law, the boundaries of a district may exist within multiple municipal and county lines, which makes it challenging for the district to obtain administrative inspection warrants when property owners deny district inspectors entry to a property. The act allows authorized inspectors of a district to enter and inspect, in a reasonable time and manner, any property for the purpose of investigating any violations of the program. If an inspection is denied, the act authorizes a district to obtain a

warrant from the district court or county court upon a proper showing of the need for entry and inspection.

APPROVED by Governor April 17, 2024

EFFECTIVE August 7, 2024

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.