

2020 End of Session Report

City and County of Denver

JUNE, 2020

Brandeberry McKenna (BBMK) is pleased to provide the following report on legislation of interest to the City and County of Denver.

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SECTION 1 TALE OF TWO SESSIONS

This is the most accurate title for our end of year report that captures two starkly different periods of time within the legislative session of the 72nd General Assembly. When the Legislature convened on January 8th with an anticipated additional \$800 million to spend on new initiatives, it was thought the focus of the Legislature would be on the establishment of a paid family leave program, a public health insurance option and funding for transportation.

Fast forward to March 14th, in response to the COVID-19 pandemic the Legislature recessed for two weeks after sending an interrogatory to the Colorado Supreme Court asking if the 120 day session would still be constitutionally required to end on May 13th or would the Legislature be allowed to reconvene and meet for the days remaining in the session. The Colorado Supreme Court ruled that the 120-day session could be calculated by counting working days rather than consecutive days in times of a declared public health emergency leaving 53 days and 355 bills to be acted upon when legislators reconvened.

The General Assembly reconvened on May 26th facing a \$3.4 billion budget shortfall, forcing a 25% cut in next year's budget. The fate of bills which were in the process when the session was suspended were questionable unless they were deemed "fast, friendly and free" according to the Speaker. Many bills did not survive the first week because of their fiscal impact. These included the Governor's priority bills such as public option and paid family leave.

Passage of bills during the second half of the legislative session centered around priorities of Democrats including paid sick leave, whistleblower protections related to COVID-19, changes in worker's compensation laws, unemployment insurance, as well as a new proposal on price gouging. In the final hours of the session two bills of interest were introduced and became central in the body's ability to pass a balance budget. HB20-1420, a bill repealing numerous tax incentives to fund education, was a priority of the left leaning think tank The Bell Policy Center and was supported by K-12 advocates. HB20-1427 was a measure to refer a tax on tobacco to the voters in November with part of the tax revenue dedicated to the State's General Fund as well as newly created preschool programs, tobacco education, and other programs already outlined in the tobacco tax. HB20-1420 was significantly amended and passed, as was HB20-1427. The legislature adjourned early on Monday June 15th.

SECTION 2 LAW ENFORCEMENT/ CRIMINAL JUSTICE

HB20-1123 Grace Period Before Failure to Appear Warrant sponsored by Reps. Soper and Lontine and Senator Lee. The bill prohibits courts from issuing a failure to appear warrant for a period of 72 hours after the scheduled appearance. The bill also instructs courts not to issue a warrant if the defendant presents himself or herself to the court within the 72-hour period. *The bill was postponed indefinitely.*

HB20-1287 Colorado Rights Act sponsored by Rep. Soper and Senators Marble and Lee. The bill allows a person who has a right, privilege, or immunity secured by the Colorado Constitution that is infringed upon to bring a civil suit for the violation. *The bill was postponed indefinitely.*

SB20-172 Bail Hearing Within 48 Hours of Arrest sponsored by Senators Lee and Marble and Reps. Herod and Soper. The bill requires a court to hold a bond setting hearing within 48 hours after an arrestee's arrival at a jail or holding center beginning on July 1, 2021 for in-county arrestees and July 1, 2022 for out-of-county arrestees. The bill creates the position of a bond hearing officer to conduct bond hearings on weekends and holidays throughout the state using audiovisual technology. *The bill was postponed indefinitely.*

SB20-217 Enhance Law Enforcement Integrity sponsored by President Garcia and Senator Fields and Reps. Herod and Gonzales-Gutierrez. The bill requires all local law enforcement agencies and the Colorado state patrol, beginning July 1, 2023 to issue body-worn cameras to their officers and requires all recordings of an incident to be released to the public within 21 days after the agency receives a complaint of misconduct. A peace officer shall wear and activate a body-worn camera when responding to a call for service or during any interaction with the public initiated by the peace officer. The bill allows for redaction or non-release of the recording to the public if there are specified privacy interests at stake. The bill also requires the Division of Criminal Justice to create an annual report of all use of force by peace officers that results in death or serious bodily injury, all instances when a peace officer resigned while under investigation for violating department policy, all data relating to contacts conducted by its peace officers, and all data related to the use of an unannounced entry by a peace officer. If any peace officer is convicted of or pleads guilty or nolo contendere to a

crime involving the unlawful use or threatened use of physical force, the P.O.S.T. board shall permanently revoke the peace officer's certification. The bill states that in response to a protest or demonstration, a law enforcement agency may not discharge projectiles in a manner that targets the head, pelvis, or back, discharge projectiles indiscriminately into a crowd, or use chemical agents prior to issuing an order to disperse in a sufficient manner. The bill allows a person who has a right to be covered by the Colorado Constitution that is infringed upon by a peace officer to bring a civil action for the violation. Qualified immunity is not a defense to the civil action. The bill creates a new use of force standard by limiting the use of physical force and limiting the use of deadly force when force is authorized and eliminating the peace officer's ability to use a chokehold. The bill requires a peace officer to intervene when another officer is using unlawful physical force and requires the intervening officer to file a report regarding the incident. If a peace officer fails to intervene when required, the P.O.S.T. shall decertify the officer. Lastly, the bill requires a peace officer to have a legal basis for making contact and report the required information to the division of criminal justice if applicable. ***The bill passed both chambers.***

SECTION 3 HOUSING

HB20-1141 Fees Charged to Tenants by Landlords sponsored by Reps. Caraveo and Gonzales Gutierrez and Senator Gonzales. The bill places certain restrictions on fees charged by landlords of mobile home parks and residential premises. ***The bill was postponed indefinitely.***

HB20-1233 Basic Life Functions in Public Spaces sponsored by Reps. Melton and Benavidez. The bill bans the state and any city, county, municipality, or other political subdivision from restricting a person from conducting basic life functions in a public space unless the government entity can provide adequate shelter to the person and said person declines the shelter. The bill also prohibits said political entities from restricting the occupation of a motor vehicle, provided that motor vehicle is legally parked on public property or private property with the permission of the property owner. ***The bill was postponed indefinitely.***

HB20-1332 Prohibit Housing Discrimination Source of Income sponsored by Reps. Herod and Jackson and Senator Fields. The bill adds discrimination based on "source of income" as a type of unfair housing practice. "Source of income" is defined to include any source of money paid directly, indirectly, or on behalf of a person, including income from any lawful profession or from any government or private assistance, grant, or loan program. In addition, a person cannot discriminate in the terms or conditions of a rental agreement against another person based on source of income, or based upon the person's participation in a 3rd-party contract required as a condition of receiving public housing assistance. The restrictions do not apply to a landlord with 3 or fewer rental units. ***The bill passed both chambers.***

HB20-1351 Local Government Authority Promote Affordable Housing Units sponsored by Reps. Lontine and Gonzales-Gutierrez and Senators Gonzales and Rodriguez. The bill clarifies that the existing authority of cities and counties (local governments) to plan for and regulate the use of land includes the authority to regulate development or redevelopment in order to promote the

construction of new affordable housing units. The State’s rent control statute does not apply to any land use regulation that restricts rents on newly constructed or redeveloped housing units as long as the regulation provides a choice of options to the property owner or land developer and creates one or more alternatives to the construction of new affordable housing units on the building site. ***The bill was postponed indefinitely.***

HB20-1410 COVID-19 Related Housing Assistance sponsored by Reps. Gonzales-Gutierrez and Exum and Senators Gonzales and Zenzinger. The bill allocates \$350,000 of the CARES funds to the eviction legal defense fund and \$19.65 million of the CARES funds to the Housing Development Grant Fund. ***The bill passed both chambers.***

SB20-224 Landlord Prohibitions Tenant Citizenship Status sponsored by Senators Gonzales and Rep. Gonzales-Gutierrez. The bill creates the “Immigrant Tenant Protection Act” which prohibits a landlord from engaging in certain housing practices or related activities based on the immigration or citizenship status of a tenant. ***The bill passed both chambers.***

SECTION 4 BUSINESS/ TAX

HB20-1001 Nicotine Product Regulation sponsored by Reps. Mullica and Larson and Senators Bridges and Priola. The bill raise the minimum age of a person to whom cigarettes, tobacco products, and nicotine products may be sold from 18 to 21 years of age. The bill also changes penalties for selling tobacco products to those underage and licensing requirements. ***The bill passed both chambers.***

HB20-1415 Whistleblower Protection Public Health Emergencies sponsored by Reps. Herod and Sullivan and Senators Pettersen and Rodriguez. The bill prohibits a principal from taking adverse action against a worker who raises concerns about workplace health and safety practices related to a public health emergency. This includes voluntarily wearing personal protective equipment at work such as masks, face shields, or gloves. Under the bill, a person who faces discrimination or retaliation for raising concerns or trying to protect themselves can file a complaint with the Colorado Division of Labor Standards and Statistics or can take legal action including filing a whistleblower lawsuit if they are unsuccessful in resolving the situation through the administrative process. The bill would also allow the state to order an employee to be reinstated or rehired, or require the employer to cover back pay if an employee was fired, quit or experienced a wage cut due to an employers’ violation of health and safety rules. Employers are defined in the bill as certain labor contractors, public employers and entities that rely on independent contractors. The bill was amended in the Senate to limit the applicability of the bill to conduct that occurs after the effective date of the act. ***The bill passed both chambers.***

HB20-1420 Adjust Tax Expenditures for State Education Fund sponsored by Reps. Sirota and Gray and Senators Moreno and Hansen. The bill eliminates certain tax exemptions for businesses to generate money for K-12 education for 2 years. The bill is expected to generate \$113 million in fiscal year 2020-21 and \$25 million in 2021-22 to the State Education Fund. Specifically, tax exemptions given to businesses in the CARES Act were repealed, and pass-through businesses deductions were

limited to qualified business income below \$500,000 for a single tax filer and \$1 million for joint filers. The Earn Income Tax Credit is increased from 10% to 15% in the bill. ***The bill passed both chambers.***

HB20-1427 Cigarette Tobacco and Nicotine Products Tax sponsored by Reps. Caraveo and McCluskie and Senators Fields and Moreno. Conditional on voter approval, this bill would raise taxes on cigarettes and tobacco products and establish a new tax on nicotine products. The tax on a pack of cigarettes would increase from 84 cents to \$1.94 next year. The tax on e-cigarettes and vaping nicotine liquids, would start at 10% and increase to 22% by 2027. Other tobacco products would see an increase from 40% to 62% of the manufacturer's list price. The revenue from the taxes is distributed to fund health care, tobacco education, preschool, and other programs. ***The bill passed both chambers.***

SB20-093 Consumer and Employee Dispute Resolution Fairness sponsored by Senators Foote and Fenberg and Rep. Jackson. The bill creates the Consumer and Employee Arbitration Fairness Act, which establishes ethical standards for arbitrators, disclosure and protection of information requirements, and clarifies when damages are awarded. ***The bill was postponed indefinitely.***

SB20-205 Sick Leave for Employees sponsored by Majority Leader Fenberg and Senator Bridges and Speaker Becker and Rep. Caraveo. The bill would require that all employers in Colorado provide paid sick leave to each employee. Beginning January 1, 2020, all employers in Colorado must provide one hour of paid sick leave for every 30 hours worked up to a maximum of 48 hours per year. Businesses with under 15 employees would have until January 2022 to comply. The employee must make a good faith effort to provide notice of any paid sick leave. ***The bill passed both chambers.***

SB20-216 Workers' Compensation for COVID-19 sponsored by Senator Rodriguez and Rep. Mullica. The bill creates a presumption that coronavirus infections are work-related for workers in certain industries, unless companies can show otherwise through clear and convincing evidence. ***The bill was postponed indefinitely in the Senate Appropriations Committee.***

SCR20-001 Repeal Property Tax Assessment Rates sponsored by Senators Tate and Hansen and Reps. Esgar and Soper. The concurrent resolution refers a ballot initiative to the voters to repeal the Gallagher Amendment so that the General Assembly will no longer be required to establish the residential assessment rate based on the formula expressed in the Gallagher Amendment. The resolution also repeals the reference to the residential rate of 21% which was last applied in 1986, prior to the first adjustment required by the Gallagher Amendment. Finally, the resolution repeals the 29% assessment rate that applies for all nonresidential property, excluding producing mines and lands or leaseholds producing oil or gas. ***The resolution was passed by both chambers.***

SECTION 5 ENERGY AND ENVIRONMENT

HB20-1119 State Government Regulation of Perfluoroalkyl and Polyfluoroalkyl Substances sponsored by Reps. Exum and Landgraf and Senators Hisey and Lee. The bill addresses the authority of the state government to regulate perfluoroalkyl and polyfluoroalkyl substances. The bill (1) addresses when PFAS may be used for firefighting foam system testing, (2) grants the department of

public health and environment the power to adopt and enforce standards and on public drinking water systems, (3) clarifies that the water quality control commission may set standards related to PFAS in water systems and may require wastewater systems to collect PFAS data, and (4) requires the solid and hazardous waste commission to promulgate rules for a certificate of registration for any facility or fire department that possesses PFAS and for standards for the capture and disposal of PFAS. SB20-218 “CDPHE Hazardous Substance Response” provided funding for this bill. ***The bill passed both chambers.***

HB20-1162 Prohibit Food Establishments’ Use of Polystyrene sponsored by Reps. Cutter and Singer and Senators Foote and Story. Effective January 1, 2022, the bill prohibits a retail food establishment from distributing an expanded polystyrene product for use as a container for ready-to-eat food in this state. The executive director of the department of public health and environment or the executive director’s designee may, through the attorney general seek injunctive relief against a retail food establishment that violates the prohibition. ***The bill was laid over until December 31, 2020 effectively killing the bill.***

HB20-1163 Management of Single-Use Products sponsored by Reps. Valdez and Sirota and Senator Gonzales. The bill prohibits stores and retail food establishments, on and after July1, 2021, from providing single-use plastic carryout bags, single-use plastic stirrers, single-use plastic straws, and expanded polystyrene food service products (collectively “single-use products”) to customers at the point of sale. ***The bill was laid over until December 31, 2020 effectively killing the bill.***

SB20-010 Repeal Ban on Local Government Regulation of Plastics sponsored by Senator Donovan and Reps. Froelich and A. Valdez. The bill repeals language that prohibits local governments from banning the use or sale of specific types of plastic materials or restricting or mandating packaging or labeling of any consumer products. ***The bill was postponed indefinitely.***

SECTION 6 ELECTIONS

HB20-1081 Multilingual Ballot Access sponsored by Rep. Caraveo and Senator Gonzales. This bill requires the Secretary of State and county clerks of certain counties to provide multilingual ballot access. This bill requires the Secretary of State to create a multilingual ballot hotline to provide access to qualified translators for use during the general election in Nov. 2020 and every general election and statewide odd-year election thereafter and make notice of hotline to electors. The bill requires county clerks of any county satisfying specific criteria to create a minority language sample ballot in any minority language spoken in the county by a pre-determined number of citizens who speak English less than very well, as well as an in-person minority language ballot at the request of an elector. The bill charges the Secretary of State with determining which counties in the state must provide multilingual ballot access and provide a translation in the applicable language to each county clerk required to provide multilingual ballot access. ***The bill was postponed indefinitely.***

HB20-1132 County Reimbursement for Local Elections Supplies sponsored by Rep. Lontine and Senator Fenberg. The bill expands the kinds of election equipment and supplies that qualify for reimbursement under the Local Elections Assistance Cash Fund. The bill also allows for

reimbursement for incremental increases in cost to lease said equipment. ***The bill was signed by the Governor.***

HB20-1313 Administration of Late Ballots sponsored by Rep. Sullivan and Senator Todd. The bill requires the county clerk and recorder to mail a ballot towards the end of the voting period to any eligible applicant who is registered to vote and has been mailed a ballot in an election in accordance with provisions outlined in the bill. ***The bill was repassed by the House.***

SECTION 7 TRANSPORTATION

HB20-1151 Expand Authority for Regional Transportation Improvements sponsored by Rep. Gray and Senator Winter. This bill allows a Transportation Planning Organization to act as and retain the powers of a Regional Transportation Authority, allowing it to impose charges, fees and, with voter approval, taxes to generate transportation funding. ***The bill was not scheduled in the House Appropriations Committee effectively killing the bill.***

SB20-061 Yield to Bicycles in Bicycle Lanes sponsored by Senator Foote and Speaker Becker. The bill creates a new traffic offense for failing to yield to a bicycle in the bicycle lane. The offense is a class A traffic offense unless it is the proximate cause of a crash or if it causes bodily injury, then it is careless driving and is punished under the careless driving offense. ***The bill was signed by the Governor.***

SB20-065 Limit Mobile Electronic Devices While Driving sponsored by Senator Hansen and Rep. Roberts. This bill limits the use of any mobile electronic device while driving to adult drivers who use a hands-free accessory. The bill establishes monetary and point penalties for violations. ***The bill was postponed indefinitely.***

SECTION 8 OPIOID AND SUBSTANCE ABUSE

HB20-1017 Substance Use Disorder Treatment In Criminal Justice System sponsored by Reps. Herod and Kennedy and Senators Donovan and Priola. The bill:

- allows the department of corrections, local jails, multijurisdictional jails, municipal jails, and state department of human services facilities to make available opioid agonists and opioid antagonists to a person in custody with an opioid use disorder.
- allows a person to dispose of any controlled substances at a safe station, if safe station personnel are available, and request assistance in gaining access to treatment for a SUD.
- Requires the department of corrections and jails to ensure that continuity of care is provided to inmates prior to release. County jails are required to provide Medicaid reenrollment paperwork to a person when the person enters the county jail and file the paperwork with the county department of health and human services upon releasing the person from the county jail's custody.
- Requires the executive director of the department of corrections in consultation with other departments to develop resources for inmates post release that provide information to help with reintegration.
- Requires the court to consider a person's completions of a licensed substance use disorder treatment program

- Allows the office of behavioral health to contract with cities and counties for the creation, maintenance, or expansion of criminal justice diversion programs.

The bill passed both chambers.

HB20-1065 Harm Reduction Substance Use Disorders sponsored by Reps. Kennedy and Herod and Senators Pettersen and Priola. The bill:

- Requires a carrier that provides coverage for opiate antagonists to reimburse a hospital and provide a covered person with an opiate antagonist upon discharge.
- Requires a pharmacist who dispenses a prescription for an opioid to notify the individual to whom the opioid is being dispensed about the availability of an opiate antagonist
- Allows a pharmacist or pharmacy technician to sell a nonprescription syringe or needle to any person
- Extends civil and criminal immunity for a person who acts in good faith to furnish or administer an opiate antagonist to an individual
- Allows a nonprofit organization to operate a clean syringe exchange program without local board of health approval.

The bill passed both chambers.

HB20-1085 Prevention of Substance Use Disorders sponsored by Reps. Kennedy and Herod and Senators Winter and Priola. The bill:

- Requires a health benefit plan to provide coverage for nonpharmacological treatment as an alternative to opioids. The bill also outlines the coverage and cost-sharing for the plan
- Requires an insurance carrier that provides prescription drug benefits to provide coverage for at least one atypical opioid for the treatment of acute or chronic pain at the lowest cost-sharing tier of the carrier's formulary with no requirement for step therapy or prior authorization
- Precludes a carrier from penalizing a physical therapist, occupational therapist, or acupuncturist for providing a covered person information on the amount of the covered person's financial responsibility for the covered person's services or collecting a copayment from a covered person that exceeds the total charges submitted by the physical therapist, occupational therapist, or acupuncturist.
- Requires the Department or Regulatory Agencies to promulgate rules that limit the supply of a benzodiazepine that a prescriber may prescribe to a patient who has not had a prescription for benzodiazepine in the last 12 months
- Extends the limit on an opioid prescriber from prescribing more than a 7 day supply of an opioid
- Requires the Colorado Medical Board to promulgate rules establishing competency based on continuing education requirements for physicians and physician assistants concerning prescribing practices for opioids
- Modifies requirements for adding prescription information to the prescription drug monitoring program (PDMP) and extends the requirement a prescriber must check the PDMP before prescribing an opioid

The bill passed both chambers.

SB20-007 Treatment Opioid and Other Substance Use Disorders (SUD) sponsored by Senators Pettersen and Winter and Reps. Buentello and Wilson. The bill requires insurance carriers to provide

coverage for the treatment of substance use disorders in accordance with the American Society of Addiction Medicine (ASAM) or other nationally recognized SUD specific treatment criteria. The bill prohibits managed service organization contracted providers, withdrawal management services, and recovery residences from denying access to medical or SUD treatment services to persons who are participating in prescribed medication assisted treatment (MAT) for SUD. The bill requires managed care entities to provide coordination of care for the full continuum of SUD and mental health treatment and recovery services, including support for individuals transitioning between levels of care. The bill authorizes the commissioner of insurance to promulgate rules, or to seek a revision of the essential health benefits package, for prescription medications for MAT to be included in insurance carriers' formularies. The bill requires insurance carriers to report the number of in-network providers who are licensed to prescribe MAT. The bill requires insurance carriers to provide coverage for naloxone hydrochloride or at least one similarly acting drug. Lastly, the bill combines the alcohol use disorder statutes with SUD statutes treating any kind of substance disorder the same. ***The bill passed both chambers.***

SB20-028 Substance Use Disorder Recovery sponsored by Senators Pettersen and Priola and Reps. Buentello and Herod. The bill:

- Requires the state substance abuse trend and response task force to convene to review pending and future legislation on SUD
- Modifies how the determination of child abuse, neglect, or dependency is determined in situation involving alcohol or substance exposure
- Appropriates \$74,620 to the department of human services for the implementation of the bill

The bill passed both chambers.

SECTION 9 OTHER BILLS OF INTEREST

HB20-1088 U Visa Certification Requirements sponsored by Rep. Gonzales-Gutierrez and Senators Danielson. This bill addresses the certification process for U non-immigrant status (U Visa), which requires that the requestor obtain a certification form from a certifying official attesting that the requestor has been a victim of specified criminal activity and is likely to be helpful to law enforcement. The bill establishes a time frame for completion or denial of certification requests and lays out factors that may or may not be considered in the certification process. The bill also restricts certain disclosures to immigration authorities and compels law enforcement to provide victims with information about the U Visa. ***The bill was postponed indefinitely.***

HB20-1138 Public Real Property Index sponsored by Reps. Coleman and Larson and Senators Bridges and Gardner. The bill requires each state agency, state institution of higher education, and political subdivision of the state to submit to the office of the state architect a list of all usable real property owned by or under the control of the agency, institution or political subdivision of the state. Updates to this information must be submitted by December 31st of each year. ***The bill was never scheduled in House Appropriations effectively killing the bill.***

HB20-1318 Standards for Recording Plats sponsored by Reps. Bird and Will and Senator Winter. The bill allows county clerk and recorders to receive and preserve original plats for recording in an

electronic format. The bill also specifies the conditions for properly submitting plats to county clerk and recorders in both electronic and original formats. ***The bill passed both chambers.***

HB20-1411 COVID-19 Funds Allocation for Behavioral Health sponsored by Reps. Michaelson Jenet and Kraft Tharp and Senators Pettersen and Fields. The bill appropriates CARES funds to many departments for behavioral health programs and services that were not accounted for in the state budget most recently approved as of March 27, 2020 and are necessary to respond to COVID-19. ***The bill passed both chambers.***

SB20-138 Consumer Protection Construction Defect Time Period sponsored by Senator Rodriguez. The bill increases the statutory limitation period for actions based on construction defects from 6 years to 10 years. The bill allows tolling of the limitation period on any statutory or equitable basis. Lastly, the bill requires tolling of the limitation period until the claimant discovers not only some physical manifestation of a construction defect but also its cause. ***The bill was laid over until December 31, 2020 effectively killing the bill.***

SB20-174 Change Management of State Convention Display Space sponsored by Senator Donovan and Rep. Woodrow. The bill grants the management responsibility of managing existing display space in the Colorado convention center that is available for the promotion of the state to the office of economic development (OEDIT). ***The bill was postponed indefinitely.***

SECTION 10: LOOKING AHEAD

After an extended legislative session due to the COVID outbreak, BBMK will move into the Summer and Fall reaching out to learn more about the various candidates running for the 2020 election. Given that the primary elections are later this month BBMK will prioritize meeting with those candidates.

The only state-wide election for 2020 will be for the US Senate. Democrats have a primary between former Speaker of the House, Andrew Romanoff and former Denver Mayor and Governor of Colorado, John Hickenlooper. The winner of the June primary will face off against incumbent US Senator, Republican Cory Gardner in what will be a nationally funded and watched race.

The Colorado State House and every statewide office is held by Democrats. Currently 18 out of 35 State Senate races are up for election this year, and of these races we believe there are only 5 competitive races.

- **SD 8 is currently held by Senator Bob Rankin (R)** who is facing a primary challenge from Debra Irvine. Ms. Irvine managed to get top line at the GOP assembly. This seat leans Republican but if for some reason Ms. Irvine would win the Republican primary we believe Democrats will put a substantial amount of money into this seat to elect the winner of the SD 8 Democratic primary. The Democrats are fielding 2 candidates: Karl Hanlon, a municipal attorney in Glenwood Springs and Arn Menconi a former two term Eagle County Commissioner.
- **SD 19 is currently held by Senator Rachel Zenzinger (D)** This seat has in recent years gone back and forth between Republican and Democrat candidates. Senator Zenzinger beat

incumbent Laura Wood four years ago and Laura Wood beat Senator Zenzinger four years prior to that. Lynn Gerber will be the GOP candidate in 2020 and lists the following as issues of interest: right to life, school choice and supporting TABOR and the Constitution.

- **SD 25 is currently held by GOP Senator Kevin Priola (R)** and will be a hotly contested race. Senate Democrats selected Paula Dickerson as their candidate for the general election. Ms. Dickerson is a native to Adams Co and is a teacher.
- **SD 26 is currently held by Democrat Jeff Bridges (D)** who will be challenged by Republican Bob Roth a former Aurora city councilman. Mr. Roth has a small construction company and is running as the pro-business candidate.
- **SD 27 is an open seat as Jack Tate (R) is term limited.** The Republican candidate is Suzanne Staiert. Ms. Staiert is a former Aurora city prosecutor, city attorney for Littleton and Deputy Director of the Secretary of State under former Secretary of State Scott Gessler. The Democratic candidate is Chris Kolker. Mr. Kolker is a former teacher and currently a financial planner.

Every state house race is up for re-election in 2020 and the following primaries will most likely determine the winner of the seat listed.

- **HD 6 formerly held by now Senator Chris Hansen (D)** is currently held by Rep. Steven Woodrow. Rep. Woodrow faces two democratic challengers: Steven Paletz a young attorney and Dan Himelspace a long-time mediator.
- **HD 22 is currently held by Rep. Colin Larson (R)** who is facing a primary challenge from former GOP legislator Justin Everett.
- **HD 40 is an open seat currently held by Rep. Janet Buckner (D)** who is running in an open seat vacated by current State Senator Nancy Todd. The Democratic candidates are: John Roquillo who has top line, is a professor at DU, and has been endorsed by most of the Democratic House caucus, and Naquetta Ricks a prominent African American realtor in the district.
- **HD 41 is an open seat currently held by term limited Rep. Jovan Melton (D)** Although there is a GOP candidate running, this seat is highly likely to go to the Democratic candidate Iman Jodeh. Ms. Jodeh is young, of Palestinian decent and running on a very progressive agenda. Ms. Jodeh has been endorsed by most of the Democratic House members. Issues of interest to her include price caps on drugs and lowering insurance premiums.
- **HD 48 is an open seat as Rep. Humphrey (R) is term limited.** This is a GOP seat with a primary between Grady Nouis and Tonya Van Beber. Tonya is a native of the district, graduate of Eaton HS, teacher, coach and part owner in her family business with her husband. Grady Nouis is younger candidate who has run for a state house seat in the past in Jefferson county.
- **HD 63 is currently held by Rep. Lori Saine (R)** and is a strong Republican district with 3 GOP candidates running for the seat. The candidates are: former state legislator Patricia "Pat" Miller, a well know anti-choice activist, and Dan Woog a young conservative Christian and business owner from Erie and Corey Seulean who is a pastor and father of 7 children.

Competitive Races in the General Election

- **HD 17 is currently held by Rep. Exum (D)** who is being challenged by GOP candidate Rob Blancken. Mr. Blancken has lived in HD 17 for 35 years and is campaigning on mental health and transportation issues.
- **HD 25 is currently held by Rep. Cutter (D)** who is being challenged by former Republican Jefferson County Commissioner Don Rosier. Mr. Rosier is well known in the district and now serves on the Sterling Ranch Authority Board.
- **HD 27 is currently held by Rep. Titone (D)** who is being challenged by GOP candidate Vicki Pyne. Ms. Pyne entered the race against Rep. Titone late in 2016 after Rep. Sias resigned to run for Lt. Governor. Ms. Pyne is a small business owner and was endorsed last time by CACI, NFIB and others.
- **HD 47 is currently held by Rep. Bri Buentello (D)** who will be challenged by either Stephanie Luck or Ron Parker. This district leans democratic but is a potential pick up seat for the GOP. The GOP has a primary between Stephanie Luck, and Ron Parker. Ron Parker is an Army veteran and school board member. Ms. Luck is young and running on a Christian right platform.

Initiative and Referendum

Currently there are six ballot measures that will appear on the 2020 ballot. The first referendum on the ballot comes from SB19-042 “National Popular Vote”. This referendum, added by the 72nd General Assembly in the 2019 session, asks the public if the State of Colorado’s presidential electoral votes should be allotted to the presidential candidate who wins the national popular vote. The second referendum on the ballot comes from HB20-1427 “Cigarette Tobacco and Nicotine Product Tax”. The referendum, added during the 2020 session, asks the public if taxes on tobacco should be raised incrementally over time until July 2027 and a tax should be created for nicotine products. The third referendum on the ballot comes from SCR20-001 “Repeal Property Tax Assessment Rates”. The referendum, added during the 2020 session, asks the public if the Gallagher Amendment should be repealed so that the General Assembly will no longer be required to establish the residential assessment rate based on the formula expressed in the Gallagher Amendment.

The first initiative on the ballot is Initiative #76. If passed, this initiative would amend the Colorado Constitution to require US citizenship to vote. The second initiative on the ballot is Initiative #107. If passed, this initiative would allow the reintroduction of gray wolves into designated lands in Colorado and other regulations be put in place to aid the reintroduction. The third initiative on the ballot is Initiative #120 Prohibit on Late-Term Abortion. If passed, this initiative would create a criminal charge for those who perform abortions after 22 weeks gestational age.

Due to the COVID-19 pandemic, challenges have been posed to traditional signature gathering. Governor Polis addressed this issue through [Executive Order D 2020 064](#) in which he authorized the Colorado Secretary of State’s Office to promulgate rules for electronic and mail-in signature gathering. As established by these temporary rules, (1) a signature gatherer must use a secretary of state PDF template to create their petition, (2) for a ballot initiative a signer must have access to both the fiscal statement and the initiative, (3) a signer must submit a witness name and signature and a statement

that acknowledges the signer is 18 years of age, registered to vote in Colorado, and want the measure to appear on the 2020 General Election Ballot. Witnessing a signature may be done through an audio-visual interaction. These temporary rules will be in affect for as long as Executive Order 064 is in place.