

## 2010 CEA BILL SUMMARY – Updated May 28, 2010

### KEY:

CEA Positions: Support (S), Oppose (O), Track (T)

PI = Postponed indefinitely or defeated LOST = Defeated on the House or Senate floor

LAW = Signed into law by the Governor VETO = Vetoed by the Governor

ADOPTED = Adopted by both houses of the Legislature (applies to resolutions)

NO ACTION = Bill did not receive final action by the Legislature

SB = Senate Bill; SJR = Senate Joint Resolution (not a bill)

HB = House Bill; HJR = House Joint Resolution (not a bill)

SBE = State Board of Education; CDE = Colorado Department of Education; CCHE = Colorado Commission on Higher Education; JBC = Joint Budget Committee

CSI = Charter School Institute (statewide chartering authority)

### This document is chronological by bill number

Bill number - Bill sponsors - Bill title – Bill's committee assignment - CEA position

Bill description

Rationale for CEA Support or Oppose positions

Action: Most recent status in the legislative process

Note: A bill without a CEA Position (Support, Oppose, Track) means that CEA has not yet taken a position.

## SENATE BILLS

### LAW - SB 1 – Shaffer, A. Kerr – PERA – Finance – S

Makes changes to PERA to fully amortize the unfunded actuarial accrued liability of each of PERA's divisions and reach a 100% funded ratio for each division within the next 30 years; AMENDED: Increases school employer and employee contributions by 2% (AED) and 2.5% (SAED), respectively; freezes COLA for 2011 and includes a 2% COLA thereafter;

Rationale: We recognize that changes are needed to preserve the plan so it does not run out of money and cease paying benefits altogether. As a member of the Colorado Coalition for Retirement Security, we believe we must all share the responsibility of shoring up PERA. We also believe that in doing so, there must be intergenerational equity, the benefit structure must be maintained across all PERA divisions, the plan must remain a defined benefit plan, and it must be sustainable.

Status: Signed into law, February 23

### SB 3 – Morse, Ferrandino – Higher Education Flexibility – Education – T

(Long-term Fiscal Stability Commission bill) Requires the Guaranteed Transfer and Common Course Number programs to have articulation agreements for five degree programs before January 2011; requires that no less than two-thirds of the students enrolled at each institution are in-state students (current law targets each campus for this requirement); gives each institution the authority to set its own financial aid eligibility requirements, adopt its own fiscal rules and its own technology rules; AMENDED:

Status: Sent to the Governor

### PI - SB 5 – Hudak, Benefield – Continuity of Services for Kindergartners – Education – T

(Early Childhood and School Readiness Legislative Commission bill) Authorizes CDE to distribute moneys to public schools through a grant program to provide services that kindergartners get after they have transitioned from the state preschool program or Head Start to kindergarten; AMENDED

Status: PI by Senate Appropriations Committee, April 16

### LAW - SB 8 – Johnston, Scanlan – Average Daily Membership Study – Education – T

(Interim Committee to Study School Finance bill) Directs CDE to contract for a study to evaluate the feasibility, design, and impact of a system to determine pupil enrollment based on the average number of days that each pupil is enrolled in school during the school year (“average daily membership”) rather than based on a single count date as is done in current law; requires that the study be done only if Colorado gets Race to the Top funding or if CDE can find other funding sources

Status: Signed into law, April 15

### LAW - SB 11 – M. Carroll, Miklosi – Workers Comp Conflict of Interest – Judiciary – S

Requires a physician proposed by the Division of Workers' Comp in the Dept. of Labor who will perform independent medical examinations of injured workers to disclose business, employment, financial, or advisory relationships with an insurer or self-insured employer if someone requests the information; prohibits the payment of a financial incentive by

an insurer, self-insured employer, or health care provider to deny or delay a workers' compensation claim, or to deny or delay medical care or payment for medical treatment for any such claim; prohibits a treating physician from communicating with the insurer or employer of an injured worker unless the injured worker is present or the communication is in writing and is provided to the injured worker

Status: Signed into law, May 27

**LAW - SB 12 – Tochtrop, Pace – Penalties for Violating Workers Comp Laws – Judiciary – S**

Increases the penalty for violating Workers' Compensation laws from up to \$500 to up to \$1,000; changes the mental state from "willfully" to "knowingly" in the law that penalizes denying workers' compensation medical benefits, delaying payment of medical benefits for more than 30 days, or stopping payments; allows the Director of the Division of Workers Compensation or an administrative law judge to apportion the penalties among the aggrieved party, the medical services provider, and the workers' compensation cash fund; AMENDED:

Status: Signed into law, May 26

**SB 13 – Hodge, Ryden – Workers Comp Accountability – Judiciary – S**

Requires Workers Comp insurers to survey a limited number of injured workers at the close of each claim and requires insurers to report the survey results to the Workers Comp Division; requires the division to post the survey results on its web site; prohibits an employer or insurer from taking disciplinary action or otherwise retaliating against an injured worker or his or her dependents for completing a survey; requires the CEO of Pinnacol Assurance to submit an annual report to the Governor and General Assembly, reporting on the business operations, resources, and liabilities of the Pinnacol Assurance Fund; requires the division to post on its web site the procedure for an injured worker to follow to file a complaint with the division regarding any issue over which the director or his or her designee has authority to pursue, settle, or enforce; AMENDED:

Status: Sent to the Governor

**PI - SB 17 – K. King, Stephens – Weighted Student Funding Incentives – Education – O**

(Interim Committee to Study School Finance bill) Creates a CDE grant program to give districts money to design weighted student funding formulas and to provide professional development to implement the formulas; funded by federal money or gifts, grants, and donations

Status: PI by Senate Education Committee, January 27

**LAW - SB 18 – K. King, Merrifield – School Awards Program Funding – Education – S**

(Interim Committee to Study School Finance bill) Authorizes CDE to accept gifts, grants, and donations to the School Awards Program Fund to pay for banners and trophies for schools identified as eligible to receive awards under this program

Rationale: We believe it is appropriate to pay for this program in this manner, given the state's budget situation.

Status: Signed into law, March 29

**PI - SB 26 – Romer – Transfer of “College in Colorado” to CDE – Education – T**

Transfers the “College in Colorado” division from the Dept. of Higher Education to CDE and specifies the duties of the College in Colorado program in statute; AMENDED

Status: PI by House Education Committee, March 22

**LOST - SB 29 – Penry – Efficiencies in State Government – State Affairs – O**

Eliminates all the duties of the Executive Director of the Dept. of Local Affairs and gives them to the Lt. Governor; implements a two-year state employee hiring freeze; requires the Governor to sign off on all new hires and allows new hires only if their jobs that are critical to protecting the life, health, or safety of residents; eliminates all bonuses paid to any state employee; reduces the personnel budget of the Governor, department executive directors, and directors of each principal state government department to FY 2005-06 levels; reduces by 3% within five years the number of state employee FTEs paid with General Fund dollars; requires the Governor to report to Legislature by April 2010 regarding consolidating existing boards and commissions and existing departments and agencies; authorizes the Governor to repeal CCHE and direct its responsibilities to the Lt. Governor; limits the Governor's Energy Office spending on personnel to no more than 10% of its budget; requires that Executive Branch expenditures on professional dues/memberships come from gifts/grants/donations and not the General Fund;

Requires the State Board of Education to encourage districts to create BOCES where feasible to enable two or more districts to cooperate in providing services and consolidating central admin services; requires that all actions by an existing or new BOCES that result in cost savings to the member districts compared to the cost if districts provided the services themselves be calculated AND that each member district remit to the State General Fund an amount equal to

50% of the district's savings (as long as that amount does not exceed what the district received as its state share of total program funding that year)

Requires the Governor to reduce by 10% the pay of all full-time state employees earning \$125K or more annually, except higher education employees;

Requires the State Controller to transfer from the General Fund to the newly created General Fund Overflow Reserve Fund an amount equivalent to the total amount of GF monies appropriated in all bills vetoed by the Governor, including any GF line-item appropriation that is line-item vetoed by the Governor; Eliminates the requirement that motor vehicles have front license plates

Rationale: We do not agree with all of the cuts proposed in SB 29. While there may be efficiencies in some aspects of this proposal, we believe it proposes micromanaging state government.

Status: Lost on Senate third reading, May 3

**LAW - SB 36 – Johnston, Merrifield – Program Results for Educator Preparation – Education – S**

Requires CDE to issue an annual report on educator preparation program effectiveness using data collected through the Educator Identifier System from educators in first three years of teaching; requires the State Board to use the report in its review of educator preparation; creates a fund for use by CDE in implementing the bill, but does not require implementation until there is sufficient funding to do the work

Rationale: The bill may help determine whether there is a correlation between teacher preparation and student academic growth and teacher mobility/retention, at least for teachers who have administered CSAP tests and for whom there is appropriate student test data.

Status: Signed into law, January 15

**PI - SB 50 – Spence – Teacher Employment – Education – O**

Increases from three to five years the required length of continuous employment that a probationary teacher shall have before being classified as “nonprobationary;” nonprobationary teachers shall be given five-year contracts that shall be renewed every five years providing the teacher gets a “satisfactory final cumulative written evaluation report” at the end of every five year period; if a school board is not going to renew a nonprobationary teacher’s contract at the end of a five-year period, the school board will provide this notice in writing along with the reasons why the contract is not being renewed

Rationale: We oppose these changes to state law. We believe all teachers should have access to a fair dismissal process that includes due process of law and a hearing before an impartial third party. The bill does not define what constitutes “a final cumulative evaluation” and provides no guidelines for what should be included in such an evaluation (nor do school district evaluation policies provide this). There is no requirement that a teacher receive either a notice of deficiencies nor a remediation period for any such evaluation. The bill does not provide amendments to the state teacher evaluation law that would give substantive rights for teachers subjected to the nonrenewals outlined in the bill. There is also no requirement that a district’s standards for satisfactory/unsatisfactory employment must be fair or impartial. In addition, three years is long enough for district administrators to determine if a teacher is performing satisfactorily; thus a five-year probationary period is not needed.

Status: PI by Senate Education Committee, May 10

**LAW - SB 54 – Hudak, Levy – Education Services for Juveniles – Judiciary – T**

Requires a school district to provide education services to a juvenile who is held, pending trial as an adult, in a jail within the school district; the district must also comply with IDEA if the juvenile has a disability; exempts the district from providing education services to a juvenile who has graduated from high school or has a GED unless he or she has a disability; also exempts the district if the juvenile refuses the education services; the district or jail official determine that there is no safe, appropriate environment in which to provide the education services; AMENDED:

Status: Signed into law, May 25

**LAW - SB 56 – Boyd, Riesberg – Standardized Immunization Information – Health – T**

Requires school boards and the Charter School Institute to adopt policies requiring each school to annually provide parents with print or email copies of a standardized immunization document developed by the Department of Public Health; AMENDED:

Status: Signed into law, March 29

**LAW - SB 62 – Steadman, Peniston – Changes to Categoricals – Education – S**

Eliminates requirement that the allocation of increases in funding categorical programs (student transportation, special education, gifted and talented, etc.) be reflected in the annual General Appropriations bill; requires the Legislature to instead pass a bill that establishes the increases in funding for categoricals based on recommendations of the JBC to the Senate and House Education Committees; repeals the Colorado Comprehensive Health Education Fund; requires CDE to annually increase the money distributed to each administrative unit for each child with disabilities receiving

special education services – which increase shall reflect the percentage increase in funding for special ed students; amends state law to replace the term “student whose dominant language is not English” to “student with limited English proficiency”; AMENDED:

Rationale: The bill makes the process of deciding how to divide funding among Categorical Programs more transparent and allows more public input. It specifies how the Special Education Categorical Program funding will be more fairly distributed, enabling districts to better serve students.

Status: Signed into law, April 29

**LAW - SB 65 – Keller, Pommer – CDE Supplemental Appropriations – Education – O**

Rescinded \$110M from the 2009-10 appropriations to school districts

Status: Signed into law, January 28

**PI - SB 69 – Brophy, Sonnenberg – O**

Transfers the “savings” when Amendment 23’s school funding formula “shrinks” from inflation plus 1% in FY 2011-12/thereafter to the State Highway Users Tax Fund (HUTF) for FY 2011-12; requires transfers from FY 2012-13 thru 2020-21 to the HUTF equal to the previous FY’s transfer plus an amount equal to 1% of the statewide base per-pupil funding and total state funding for all categorical programs

Rationale: We oppose taking any money away from K-12 public education.

Status: PI by Senate State Affairs Committee, January 15

**LAW - SB 79 – Penry, Bradford – Mesa State College Degrees – Education – T**

Amends the role of Mesa State College to include additional degrees in liberal arts/sciences, professional, and technical degree programs at the undergraduate and graduate levels

Status: Signed into law, April 21

**LAW - SB 81 – Sandoval, Solano – Farm to School Healthy Kids Act – Education – T**

Creates the Farm-to-School Healthy Kids Act that establishes an interagency farm-to-school task force and program that will promote the consumption of nutritional foods provided by state agricultural producers; AMENDED:

Status: Signed into law, April 15

**PI - SB 85 – Scheffel, Priola – Exempt Personal Property Tax Pilot – State Affairs – O**

Establishes a pilot program for the state to reimburse five participating counties for lost property tax revenue as a result of business personal property tax exemption

Rationale: We oppose reducing state revenue.

Status: PI by Senate State Affairs Committee, February 17

**PI - HB 86 – Scheffel, Priola – Phased In Fully Depreciated Property – State Affairs – O**

Exempts a percentage of all business personal property that is full depreciated beginning in 2011 (starts at 25 percent and increases every four years until entirely exempt beginning in 2023)

Rationale: We oppose reducing state revenue by eliminating business personal property taxes.

Status: PI by Senate State Affairs Committee, February 17

**LAW - SB 88 - Johnston, Massey – Two Year Degrees with Academic Designation – Education – T**

Authorizes community and junior colleges to award two-year degree programs with academic designations following review by the State Board for Community Colleges (for community colleges) or the junior college’s board of trustees; AMENDED:

Status: Signed into law, April 21

**PI - SB 89 – Schultheis – Religious Bill of Rights for Public Schools – Judiciary – O**

Requires the State Board of Education to adopt a religious bill of rights for public school students and parents and a religious bill of rights for public school teachers and employees; requires school boards to adopt policies to implement the law including distributing the bills of rights annually to students, parents, and employees; requires school boards to include opt-out provisions in their policies for individuals’ religious beliefs; makes school board members personally liable for lawsuits under this law if the school board fails to implement the act and ensure its compliance

Rationale: We support the principle of separation of church and state and believe this bill violates that principal. Sen. Schultheis introduced a similar bill (SB 07-138) in 2007 that the Legislature killed.

Status: PI by the Senate Judiciary Committee, February 15

**PI - SB 91 – Harvey, Stephens – Public School Financial Transparency Act – State Affairs – T**

Requires districts, BOCES, charter schools, and the Charter School Institute to develop, maintain, and make publicly

available a free, single, searchable, online revenue and expenditure database so anyone review money collected and spent by these education providers; requires that the data be updated at least monthly, archived, and provide user notification of updates

Status: PI by the Senate State Affairs Committee, February 15

**SB 101 – Gibbs, Scanlan – Colorado Mountain College – Education – T**

Authorizes the college to offer bachelor degrees

Status: Sent to Governor

**PI - SB 104 – Lundberg, Murray – Voter Registration – State Affairs – T**

Specifies that a voter registration drive “circulator” be a registered voter in Colorado; requires county clerks to preserve paper voter registration records for two years; adds new requirements for conducting voter registration drives including that the organizer must submit a list of circulators, circulator affidavits, and photo i.d. of each circulator to the Secretary of State prior to the drive

Status: PI by Senate State Affairs Committee, February 10

**PI - SB 105 – Cadman – Prohibited Ads for Elected State Officials – State Affairs – T**

Prohibits elected state officials subject to campaign finance limits from spending public money on print or visual media announcements, broadcast media announcements, web site communications, or similar general public communications that refer to the elected state official or any person employed by or serving under the official by audio or visual likeness or by personal name; exceptions are references made in public meetings and official proceedings; announcement and communications required by law; violations of this law carry a civil penalty of at least double and up to five times the amount of the expenditure of public moneys

Status: PI by Senate State Affairs Committee, March 10

**PI - SB 107 – Williams, Todd – American Indian Mascots – Education – T**

Requires each public high school that uses an American Indian mascot to cease using it or get approval from the Colorado Commission on Indian Affairs by July 2013; failure to abide by this law carries a \$1,000 fine

Status: PI by Senate Education Committee, February 11

**SB 108 – K. King – Core College Courses – Education – T**

Requires CCHE to develop a process by the 2010-11 academic year for students to test out of core courses and get credit for them without paying tuition; nonpublic higher ed institutions may participate in this process under certain circumstances; AMENDED:

Status: Sent to the Governor

**LAW - SB 111 – K. King, Massey – Institute Charter Schools and BOCES – Education – O**

Allows an Institute Charter School to participate in a BOCES unit; allows BOCES to contract with an Institute Charter School to provide a building, building maintenance, and education services; directs the Charter School Institute to study the feasibility and effect of identifying Institute charters as “local education agencies” for federal purposes; authorizes the Institute to award its charter schools with grants or interest-free loans to address a facility or special education services funding emergency; extends from 60 to 75 days the time the Institute’s board has to rule on a charter school application; repeals current requirements that the Institute must collect and provide to school districts information on students enrolled in Institute charter schools; AMENDED: Eliminated provision that a charter school representative has a seat on a BOCES board when there is a contract between the school and BOCES; AMENDED:

Rationale: The bill allows charter schools to gain the same status as a local school district (“LEA”).

Status: Signed into law, April 29

**PI - SB 131 – Shaffer, Solano – Full-day Kindergarten Incentives – Education - T**

Encourages school districts to implement full-day kindergarten programs that meet special criteria by providing additional per-pupil funding for the programs; criteria include making the program available to all children of kindergarten age who reside in the district and whose parents choose to enroll their child in full-day K; increase funding for these districts by providing 1.3 times the district’s per-pupil revenue for each child enrolled in the program; exempts these districts from the hold-harmless full-day K funding statute and other restrictions on the use of full-day K funding; requires a review after two years to see if the bill is achieving desired results

Status: PI by Senate Education Committee, February 25

**PI - SB 133 – Heath, Romer – Income Tax Credit to Re-hire Employees – Business – O**

Establishes an income tax credit for the 2011 tax year for Colorado businesses that rehire laid-off workers who lost their jobs in 2009, as long as the business retains the worker for one full year after the date of rehire and verifies that the employee would not have been rehired without the tax credit for the business; AMENDED:

Rationale: We oppose income tax credits.

Status: PI by House Finance Committee, May 5

**LAW - SB 146 – Keller, Pommer – PERA Contributions in State and Judicial Divisions – Appropriations – O**

For FY 2010-11 reduces the employer contribution in the State and Judicial Divisions of PERA by 2.5% and increases the member contribution rate by 2.5% - State Division except State Troopers, employer contribution rate goes from 10.15% to 7.65% of salary and the member contribution rate is increased from 8% to 10.5% of salary; State Troopers, employer contribution rate from 12.85% to 10.35% of salary and the member contribution rate from 10% to 12.5% of salary; for the Judicial Division, employer contribution rate from 13.66% to 11.16% of salary and the member contribution rate from 8% to 10.5% of salary; AMENDED:

Rationale: The bill sets a bad precedent. It is a loss in compensation for employees and increases PERA's costs because the contributions are matched and refundable.

Status: Signed into law, March 31

**LAW - SB 150 – Tapia, Pommer – Temporary Transfer of School Lands Money – Appropriations – O**

For FY 2010-11 requires state to transfer to the State Public School Fund (not the Permanent School Fund) money not otherwise allocated from interest or income earned on investments in the Permanent School Fund; proceeds received for the sale of timber on public school lands; rental payments for use/occupation of these lands and for rental/lease payments for sand, gravel, coal, oil, gas, and other minerals on these lands; royalties and other payments for the depletion or extraction of a natural resource on these lands

Status: Signed into law, April 15

**LAW - SB 154 – Sandoval – High Risk Students/Alternative Education Campus – Education – T**

Expands the definition of "high risk student" to include children with disabilities, migrant children, homeless children, children with documented history of serious behavioral or psychiatric disorders, and children more than two years behind grade level as determined by CSAP/other assessments approved by CDE for this purpose; expands the definition to allow more schools to be identified as "alternative education campuses;" AMENDED:

Status: Signed into law, April 21

**SB 161 – K. King, Massey – Charter School Collaboratives – Education – O**

Authorizes a charter school to contract with a BOCES or another charter school for buildings and services; authorizes a BOCES to contract with a district or Institute charter school to provide services and buildings; authorizes charter schools to form collaboratives to perform any function of a chart school including applying for state or federal grants; if the collaborative was formed with the authorizers of the member chart schools (school districts or Institute), the collaborative may serve as a local education agency or administrative unit; AMENDED:

Rationale: The bill allows charter schools to gain the same status as a local school district ("LEA")

Status: Sent to the Governor

**PI - SB 168 – Penry – Taxpayer Protection Act of 2010 – State Affairs – T**

Requires the governor to reduce state expenditures for the current/next fiscal years: state personnel expenditures by \$17.8M; total state expenditures by \$306.5M through cuts to state personnel expenditures and any nonessential state programs, with priority given to the former; reduces the judicial branch and legislative agency expenditures/per diem payments for General Assembly by .24 percent for the FY 09-10 and by 4.39 percent for FY 10-11; prohibits Legislature from reducing homestead property tax exemption for property tax years 2010 and thereafter

Status: PI by Senate State Affairs Committee, March 3

**LAW - SB 191 – Johnston, Scanlan – Educator Effectiveness – Education – O**

Mandates without providing the funding for a new teacher and principal effectiveness system in all school districts based on "effectiveness," a term that is yet to be defined by the Governor's Educator Effectiveness Council established in December 2009; predicates a teacher's probationary period and transition to nonprobationary status on "effectiveness;" requires a teacher with two consecutive years of "ineffectiveness" (also undefined) to lose nonprobationary status without recourse to due process under state statute and be involuntarily returned to probationary status; bases teacher evaluations on student academic test scores; bases principal evaluations on the "effectiveness" of the teachers he/she supervises; requires principals to evaluate every teacher every year

Rationale: We oppose the bill because it is an unfounded mandate on school districts and because we believe the Governor's Educator Effectiveness Council should complete its work before the teacher and principal evaluation system is changes.

Status: Signed into law, May 20

**SB 195 – Newell, Solano – Early Childhood Leadership Commission – Health & Human Services - T**

Creates a 31-member commission to advance a comprehensive service delivery system for children from birth-8 years, using data to improve decision making, alignment, and coordination among federally funded and state-funded services and programs targeted at young children and their families

Status: Sent to the Governor

**SB 203 – M. Carroll, Weissmann – Independent Expenditures after “Citizens United” Supreme Court Decision – State Affairs - T**

Restricts political activity by foreign corporations; prohibits any foreign corporation from expending money on an independent expenditure in connection with any election in Colorado; affirms that corporations and labor organizations shall not be prohibited from making independent expenditures (in accordance with recent Colorado Supreme Court case that followed U.S. Supreme Court Case “Citizens United”); requires all such independent expenditures to be disclosed in accordance with current state constitution and statutory requirements; specifies that the word “person” shall be construed to include any corporation or labor organization;

Requires any person who accepts a donation in order to make an independent expenditure or any person who makes an independent expenditure must register with the Secy of State when aggregate donations or expenditures reaches \$1,000; adds to existing statutory requirements that any person making an independent expenditure in the aggregate sum of \$1,000 or more in any one calendar year report additional information; puts time limits on anyone making an independent expenditure within 30 days before a Primary or General Election (disclosure within 40 hours after obligating the funds for the independent expenditure);

Requires communications that constitute an independent expenditure of \$1,000 or more to include a disclaimer statement containing specific information;

Requires a person making an independent expenditure of \$1,000 or more to specify the name of the candidate which the independent expenditure supports or opposes;

Requires a person making an independent expenditure to have separate bank accounts for the funds donated for the independent expenditure;

Requires donors of \$1,000 or more to independent expenditures to report donations;

Prohibits disclosure of a labor organization's membership lists or a publicly held corporation's shareholders list;

Creates immunity from liability for media outlets that withdraw advertising time for independent expenditures that do not comply with state statute

Expands existing statutory restrictions on the ability of the state or any political subdivision of the state from making any contribution in campaigns involving the nomination, retention, or election of any person to any public office to prohibit such entities from making any donation to any other person for the purpose of making an independent expenditure;

Removes a statutory limitation that had restricted the prohibition on political involvement by the state or political subdivisions to the use of public moneys so that the prohibition will now apply to all moneys.

Status: Passed the Senate

**SB 205 – Bacon, Scanlan – School District Bonded Indebtedness Elections – Education – T**

Adds to the purposes for which a school district may issue bonded indebtedness: allows district to ask the voters for permission to issue bonds to pay the costs that may be paid from the district's General Fund if state voters adopt Amendment 61 in the November 2010 General Election and if the district's voters approve a bond issue at that election or a subsequent election

Status: Sent to the Governor

**PI - SB 210 – Romer, Ferrandino – Reading Incentive Program Grants – Education – T**

Authorizes the Read-to-Achieve Board to award up to \$1M per year to organizations that operate Promise or Choice Neighborhoods, as described in federal law, to fund programs that pay incentives to students to read books; applies only to organizations operating reading programs with a public school or public library; organizations must prove they

are approved for federal funding; the incentives must be available to students enrolled in grades 1-5 in a public school within the boundaries of the Promise or Choice Neighborhood; to get the incentive, the student must read books outside of class time and successfully complete quizzes on each book

Status: PI by House Education Committee, May 10

**LOST - SCR 001 – Heath, Ferrandino – Fiscal Policy Constitution Commission – State Affairs – T**

Refers a constitutional amendment to the 2010 General Election ballot to create a Fiscal Policy Constitutional Commission to review fiscal policy in the State Constitution and prepare one or more measures to amend policy through ballot issues for the 2012 ballot (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: Lost on third reading

**SCR 002 - Williams, Benefield – Authority to Enact Additional Education Funding – S**

Refers a measure to the 2010 General Election ballot that authorizes the Legislature to enact law that raise taxes without voter approval if the resulting revenues are used for the funding of preschool through college education; exempts such revenues from TABOR (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: Laid over on second reading, May 7

**PI - SCR 003 – Tapia, Court – Ballot Initiatives to Amend Constitution – State Affairs – T**

Refers a measure to the 2010 General Election ballot that changes the number of signatures and the percentage of votes needed to amend the State Constitution; currently, the number is 5% of the votes cast in the previous election for the office of Secretary of State and a majority of votes cast in the election; this measure would change the process to require that signatures be gathered by Congressional District and the percentage to pass a constitutional amendment to be 60%; would not apply to a constitutional provision in existence prior to the 2011 odd-year election or certain amendments related to Amendment 61 which the voters will consider in the 2010 General Election (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: PI by House State Affairs Committee, May 12

**PI - SCR 004 – Romer, May – Games of Chance for Higher Ed Funding – State Affairs – T**

Refers a measure to the 2010 General Election ballot that would require the State Lottery Commission to establish a monitor lobby game no later than March 2011, the net proceeds of which will be credited to the Colorado Scholars cash fund to be used to provide financial assistance for students to attend college (a “monitor lobby game” is 20 numbers drawn randomly from a field of 80 numbers; players must match nine to win a prize) (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: PI by Senate State Affairs Committee, May 10

**PI - SCR 006 – Lundberg – Rate of Growth, Amendment 23 – State Affairs – O**

Refers a measure to the 2010 General Election ballot that would grant the General Assembly the authority to set the rate for Amendment 23’s automatic increase in K-12 funding (in FY 2011-12 and beyond it is an increase equal to the rate of inflation) if the rate of inflation is five percent or greater (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: PI by Senate State Affairs Committee, May 3

**PI – SCR 008 – Brophy, McNulty – Clarification of TABOR Taxes and Fees – State Affairs – T**

Refers a measure to the 2010 General Election ballot to clarify the differences between “taxes” and “fees” in the TABOR amendment to the state constitution; (requires a two-thirds vote of each chamber to pass, does not go to the Governor)

Status: PI by Senate State Affairs, May 3

**SJR 002 – Heath, Court – DU Tax Study – State Affairs – S**

Calls for a comprehensive study of the state’s tax structure to be conducted by the University of Denver and paid for with private funds

Rationale: Colorado’s state tax policy has not been comprehensively studied since 1958.

Status: Signed by the Speaker of the House, January 27

## HOUSE BILLS

### **LAW - HB 1002 - Kefalas/Sandoval – Priority of TABOR Refund Methods – Finance – S**

(Economic Opportunity Poverty Reduction Task Force bill) Increases the threshold necessary to trigger a temporary income tax rate reduction (from 4.63 percent to 4.5) as a method of providing a constitutionally required refund of excess state revenues under TABOR so that the rate reduction does not occur unless there is also an earned income tax credit refund

Rationale:

Status: Signed into law, April 5

### **LAW - HB 1009 – Miklosi, Hodge – Pinnacol Board of Directors – Judiciary – S**

Requires the two employee members of the Pinnacol Assurance Board to be non-management employees; adds two members to the nine-member board: an injured worker and the executive director of the Colorado Department of Labor and Employee or his/her representative; AMENDED:

Status: Signed into law, May 26

### **PI - HB 1012 – Pace, M. Carroll - Limit Surveillance of Workers' Comp Claims – Judiciary – S**

Prohibits an insurer or employer from conducting surveillance of an employee who has submitted a workers' comp claim unless insurer or employer has a reasonable basis to suspect that the employee has committed fraud or made a material misstatement concerning the claim; allows the employee to request an expedited hearing before a pre-hearing administrative law judge; allows the identity of a witness or whistleblower who provides evidence in good faith to be withheld or limited to an in-camera review

Status: PI by Senate Judiciary Committee, May 5

### **HB 1013 – Middleton, Romer – Modifications to K-12 Administration – Education – T**

(Interim Committee on School Finance bill) Clarifies how payments for state capital construction funding are made to charter schools; eliminates a school board's authority to negotiate business incentive agreements with taxpayers who have new business in the district (applies to only two districts); eliminates the requirement that schools boards notify the State Board of Education when it plans to seek voter approval to retain/spend additional property tax revenues/notify the state board of its plans to spend this additional revenue; eliminates the requirement that CDE reduce a district's state share of total program funding by the sum of payments the district gets as impact assistance in lieu of taxes from the Division of Wildlife; eliminates the prohibition on districts using state matching funds to subsidize the school lunch program

Status: Passed both chambers

### **PI - HB 1015 – Massey, K. King – Funding for Small Districts – Education – O**

(Interim Committee on School Finance bill) Creates a "stable funding" pilot program for small districts that provides consistent total program funding for five consecutive years beginning in 2010-11 to allow these districts more predictability in budgeting; such funding will be in lieu of the funding calculated in the traditional way; requires districts in this pilot to agree to jointly provide/share in the costs of services provided through BOCES or other similar agreements

Status: PI by House Education Committee, February 11

### **LAW - HB 1030 – Peniston, Steadman – Early Childhood Teacher Scholarships – Education – S**

Creates an early childhood educators scholarship program in CDE, subject to receipt of federal dollars, gifts, grants, and donations, to provide scholarships to people employed in early childhood development to pursue AA degrees in early childhood development (funding could come from R2T)

Rationale: The bill would increase the number of qualified early childhood teachers.

Status: Signed into law, April 15

### **LAW - HB 1036 – Scanlan, Romer – School Financial Information Online – Education – S**

(Interim Committee on School Finance bill) Enacts the Public School Financial Transparency Act requiring districts, BOCES, and all charter schools and the Charter School Institute to post financial information online for public access; phases in over three years the requirements for posting certain information:

July 2010 – adopted budgets, annual audits, quarterly financial statements, salary schedules and policies;

July 2011 – check registers and credit, debit, and purchase card statements; July 2012 – investment performance reports

Rationale: We favor providing more information to the public about public school spending.

Status: Signed into law, April 12

**LAW - HB 1037 – Massey, Spence – Online Education Grant Program – Education – S**

(Interim Committee on School Finance bill) Continues the supplemental online education grant program and funding of a contract for providing such services

Rationale: The program provides an important service and should continue to be funded as part of a comprehensive public education system.

Status: Signed into law, March 29

**LAW - HB 1038 – Miklosi, M. Carroll – Workers Comp Brochure – Business Affairs, Judiciary – S**

Requires the employer or the employer's insurance carrier to provide a brochure to a workers comp claimant

Status: Signed into law, May 26

**PI - HB 1040 – A.Kerr – CollegeInvest for Adults – Finance – S**

Permits an adult to open a college savings account for himself through CollegeInvest and requires CollegeInvest to promote the use of such accounts for lifelong learning

Rationale: This proposed expansion of CollegeInvest will serve a greater number of “students.”

Status: PI by House Appropriations Committee, February 12

**PI - HB 1047 – Court, White – Uniform Ballot Issue Titles – Local Government – T**

Establishes a uniform style for statewide ballot titles for both initiated and referred measures

Status: PI by Senate State Affairs Committee, May 3

**LAW - HB 1054 – S. King, M. Carroll – Higher Ed Student Safety Presentation – Education – T**

Requires higher education institutions to conduct a 45-minute school safety presentation during new student orientation (emergency safety protocols and communications); defines four emergency safety protocols: evacuation, lockdown, reverse evacuation, and shelter-in-place procedures; AMENDED

Status: Signed into law, April 15

**PI - HB 1072 – Court, Heath – Budget Stabilization Reserve Fund – Finance – T**

(Long term Fiscal Stability Commission bill) – Converts the General Fund Reserve to the State Budget Stabilization Reserve Fund; increases the amount of General Fund revenues the state is required to save, building the State Budget Stabilization Reserve Fund to 15% of GF appropriations; changes the trigger that requires the Governor to have a plan for reducing GF expenditures

Status: PI by House Finance Committee, March 10

**PI - HB 1077 – Tyler – Fusion Voting for Partisan Elections – State Affairs – T**

Amends the state’s election code to allow “fusion voting” in elections in state and federal partisan elections, allowing a candidate for an office to be the nominee of more than one political party; amends the “sore loser” statute that currently disqualifies a candidate who loses a primary election from running for the same office as an independent, write-in, or nominee by another party

Status: PI by House State Affairs Committee, February 9

**PI - HB 1082 – McNulty, Penry – Bar Felons from School Employment – Judiciary/Approp – O**

Enacts the “Felon-free Schools Act” to prohibit a district or school from employing a nonlicensed person who has a conviction for specific criminal offenses; adds any conviction for a felony drug offense to the mandatory disqualifications for licensed educators to be employed in a public school

Rationale: Protections are already in place to ensure that non-licensed school employees convicted of felonies are subject to dismissal provided that school district administrators conducted background checks in a competent, timely manner.

Status: PI by House Judiciary Committee, February 22

**PI - HB 1087 – Swalm, Cadman – End Automatic Income Tax Withholding – Finance/Approp – O**

Eliminates the mandatory withholding/deduction for Colorado income tax from employees’ wages and requires withholding/deduction only if the employer and employee voluntarily agree to it

Status: PI by House Finance Committee, February 10

**PI - HB 1091 – Summers – Elector Identification Documents – State Affairs – T**

Eliminates as permissible forms of i.d. for election-related purposes: utility bills, bank statements, government checks, paychecks, or other govt documents that show the name and address of the elector

Status: PI by House State Affairs Committee, January 21

**PI - HB 1093 – Bradford, Harvey – Determination of Value of Real Property – Local Government – O**

Prohibits a county assessor from considering the value of stock in the determination of the actual value of real property; prohibits a county assessor from considering the value of personal property located on real property in the determination of the actual value of the real property

Status: PI by House Local Government Committee, February 2

**PI - HB 1100 – Stephens – Withdrawal of Initiative Petitions – State Affairs – O**

Repeals current law authorizing proponents of an initiative petition to withdraw the petition from consideration as a ballot issue by requesting the Secretary of State, no later than 60 days prior to the election, to not place the petition on the ballot; prohibits the proponents or other persons from withdrawing an initiative petition after it has been submitted to the Secretary of State for verification of signatures; specifies that the proponents or the proponents' designated representatives withdraw an initiative petition if the proponents or the designated representatives of the proponents do not submit the initiative for title setting, do not circulate it for signatures after the title is fixed, discontinue circulating petitions prior to the expiration date of signature filing; makes it a Class 1 misdemeanor offense for any person (directly or through another) to pay or offer to pay an initiative proponent to withdraw a ballot issue petition

Rationale: The bill reverses many changes we supported in a 2009 initiative petition fraud bill.

Status: PI by the House State Affairs Committee, February 9

**LAW - HB 1107 – Fischer, M. Carroll – Urban Renewal Area Ag Lands – State Affairs – S**

Prohibits any area that has been designated as an urban renewal area from containing any agricultural land unless certain stipulations are met; restricts the ability of cities to declare farmland blighted and then use urban renewal to develop the land with tax-increment financing offered to developers (tax increment loop-hole that, based on some estimates, has cost the state \$50M/year to backfill property tax revenue lost by school districts); AMENDED:

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, April 14

**PI - HB 1129 – Bradford, Harvey – Property Tax Higher Actual Valuation – Local Govt – O**

Requires a taxpayer to pay property taxes based on prior year valuation if the value of land or improvements increases by more than 300%, the increase is not based on a change in classification of the land or improvements or an addition or modification thereto, and taxpayer is appealing the valuation; requires taxpayer to pay any remaining taxes owed within 30 days from the revised tax statement if tax is owed after the appeal and the tax based on the valuation from the previous year has already been paid

Status: PI by the House Local Government Committee, February 12

**PI - HB 1136 – S. King – School Emergency Safety Drills – Education – T**

Requires K-12 schools to conduct at least two emergency safety protocol drills each year in addition to fire drills: evacuation, lockdown, reverse evacuation, and shelter-in-place procedures (may be at the same time as fire drills)

Status: PI by the House Education Committee, February 11

**PI - HB 1153 – J. Kerr – Composition of PERA Board of Trustees – State Affairs – O**

Modifies the composition of the PERA Board of Trustees (currently 15: State Treasurer, 3 elected in State Division, 4 elected in School Division, 1 elected in Local Govt Division, 1 elected in Judicial Division; 2 elected retirees, and 3 Governor appointees/not PERA members) to 8 Governor appointees (not PERA members), the State Treasurer; 2 elected in School Division, 1 elected from each of the Judicial, Local Govt, and State (must be a State Trooper) Divisions, and 1 elected retiree; leaves intact the ex officio trustee from the DPS Division

Rationale: We do not believe that the PERA Board should have a majority of political appointees, but should remain primarily a board of PERA members. (PERA Board opposes the bill.)

Status: PI by the House State Affairs Committee, February 11

**PI - HB 1155 – Lambert, Lundberg – Severance Tax on Precious Metals – State Affairs – T**

Requires revenue from the severance tax on precious metals to be credited to the new State Emergency Reserve Cash Fund; requires State Treasurer to use the tax revenues to purchase precious metals

Status: PI by State Affairs Committee, February 2

**PI - HB 1156 – Court, M. Carroll – Partial Public Campaign Financing – State Affairs/Finance – T**

Creates a system for partial public financing of legislative candidate campaigns through residents' voluntary designations from state income tax; requires candidates who get such funding to comply with voluntary campaign spending limits and demonstrate that they have raised specified minimum campaign contributions; requires Secretary

of State to make one-time payments from the new fund based on the amount of money the candidate has already raised, e.g., State Senate candidates can get \$2 from the fund for every one dollar raised up a maximum of \$10,000  
Status: PI by House State Affairs Committee, March 25

**PI - HB 1157 – Summers – County Tax Support of Colleges – Local Government – T**

Authorizes county commissioners to seek a vote of its residents where there is the main campus of a state college to add an ad valorem tax to the valuation of assessment of all taxable property within the county or a sales tax to support the state college; allows the State Board of Community Colleges and Occupational Education to seek such a vote by passing a resolution on behalf of a community college; requires a county to obtain the consent of a state college governing board prior to placing any question on the ballot seeking voter approval for such a tax question; precludes the county from imposing a tax in order to raise money on behalf of a university  
Status: PI by House Local Government Committee, February 2

**LAW - HB 1165 – Merrifield, Tapia – State Lands - Local Government – T**

Allows the State Land Board to transfer land to local government or special districts in exchange for fair compensation if this adds value to adjoining or nearby state trust property  
Rationale: Allows for greater investment of public school lands that would result in more money for the Public Schools Lands Trust  
Status: Signed into law, April 15

**HB 1171 – Benefield, Steadman – Repeal School Reporting Requirements – Education – T**

Repeals State Board of Education’s requirement to calculate the number of students who obtain high school diplomas after age 21; repeals requirement that school districts report information to CDE regarding the Colorado Basic Literacy Act (third-four grade reading and writing); repeals requirement that districts submit annual budgets to CDE; clarifies when the CDE Education Data Advisory Committee (EDAC) may request information from districts as mandatory, voluntary, or required to receive a benefit from the state; requires EDAC to review its processes/timing of student demographic data collection and recommend to the State Board procedures for updating the data efficiently; requires higher ed institutions to begin reporting student remediation data after unique student identifiers are assigned by CDE: AMENDED:  
Status: Sent to the Governor

**PI - HB 1174 – Frangas, Romer – Reduction of Severance Tax Credit to Create Jobs – Business – T**

Reduces for two years the amount of the state severance tax credit oil and gas producers are permitted to claim for property taxes paid (reduces by 50%); requires the additional severance tax revenue acquired by the state as a result to: a Teacher Retention Cash Fund (90%) and a small business credit cash fund (10%); distributes the money in the Teacher Retention Cash Fund to school districts and the Charter School Institute to be used to retain teachers  
Status: PI by the House Business Affairs and Labor Committee, February 9

**PI - HB 1177 -S. King – Colorado Economic Stability Fund – Finance/State Affairs – T**

Creates the Colorado Economic Stability Fund consisting of General Fund moneys transferred to it including 10% of any increase in GF revenues for a FY over the amount of GF revenues for the prior FY unless the transfer of this money would cause the Stability Fund’s balance to exceed 15% of the GF revenues for the FY; allows the Legislature to use the money in this fund and transfer it back to the General Fund under certain conditions which include a state fiscal emergency declaration approved by 2/3 of the members of both chambers and the Governor; provides that money from this fund be used only for existing programs that provide vital services determined by the JBC to be necessary for public peace, health, or safety  
Status: PI by the House State Affairs Committee, February 9

**LAW - HB 1178 – Stephens, Scheffel – Grants Transparency - State Affairs – T**

Requires each state agency that gets grant money to report to the JBC the source, amount, and duration of the grant and the specific use of the grant; requires new bills after January 2011 to indicate if any part of the bill will be funded by grants; requires bills that enact programs funded in part or entirely by grants to have a repeal clause specifying that the bill’s provisions will be repealed if the grant funding is not received; AMENDED  
Status: Signed into law, April 29

**LAW - HB 1183 – Middleton – Alternative School Funding Models Pilot – Education – T (changed from O)**

Creates a program to encourage districts and charter schools to collect information that will compare “alternative funding models” with the current school funding method; AMENDED:

Rationale: We originally opposed the bill as we do not believe in weighted student formulas or other means of assigning a dollar value in education services to students, e.g., non-English speaking students, students with disabilities, gifted students, etc., nor in setting up student funding so that districts or schools must compete to get basic state funding.

Status: Signed into law, April 29

**LAW - HB 1189 – Pommer, Heath – Sales Tax Exemption for Direct Mail – Appropriations – S**

Eliminates the state sales and use tax exemption for direct mail advertising materials distributed in Colorado via cooperative direct mail advertising; AMENDED

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1190 – Pommer, Heath – Fuel Sales & Use Tax Exemption – Appropriations – S**

Suspends for March 2010 thru June 2012 the exemption from state sales and use taxes the storage/use/consumption of electricity, coal, coke, fuel oil, steam, nuclear fuel, and gas used in manufacturing, refining, mining, construction, communications, transportation, and other industrial uses; AMENDED

Rationale: Suspending this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1191 – Pommer, Heath – Candy & Soda Sales Tax Exemption – Appropriations – S**

Eliminates the state sales/use tax exemption for candy and soft drinks

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1192 – Pommer, Heath – Sales/Use Tax on Standardized Software – Appropriations – S**

Repeals a regulation by the Dept. of Revenue regarding the type of software that is subject to state sales/use tax and specifies that standardized software is subject to these taxes

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1193 – Pommer, Heath – Out of State Retailers Sales Tax – Appropriations – S**

Requires out-of-state retailers to assess state sales on purchases by Colorado residents if the retailer has a referral relationship with any in-state affiliate that has an obligation to collect sales tax

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1194 – Ferrandino, Heath – Nonessential Articles Sales Tax – Appropriations – S**

Narrows existing state sales/use tax exemptions applicable to food/meal/beverage retailers or vendors so that nonessential containers/bags are no longer exempt from these taxes

Rationale: Changing this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1195 – Ferrandino, Heath – Suspend Ag Sales/Use Tax Exemption – Appropriations – S**

Suspends for the period of March 2010-June 2013 the state sales/use tax exemption for agricultural compounds/pesticides used in caring for livestock

Rationale: Suspending this special interest giveaway temporarily will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1196 – Ferrandino, Heath – Certain Cars Tax Credit – Appropriations – S**

Disqualifies for tax years 2010 and 2011 the purchase of motor vehicles using alternative fuels from a state income tax credit

Rationale: Suspending this special interest giveaway temporarily will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**LAW - HB 1197 – Ferrandino, Heath – Reduce Conservation Easement Cap – Appropriations – S**

Reduces the cap on the state income tax credit a taxpayer is allowed to claim for donating a conservation easement;  
AMENDED:

Rationale: Stopping this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, April 29

**LAW - HB 1199 – Ferrandino, Heath – Temporary Limit on Net Operating Loss– Appropriations – S**

Limits for three years the amount of Net Operating Loss (NOL) a corporation may carry forward in order to reduce its state income tax

Rationale: Limiting this special interest giveaway will help prevent more K-12 cuts because it will mean more revenue for the state budget.

Status: Signed into law, February 24

**HB 1200 – Hullinghorst, Heath – Enterprise Zone – Appropriations – S**

Creates a temporary requirement for the 2011, 2012, and 2013 tax years that a taxpayer defer claiming any amount of an Enterprise Zone Investment Income Tax Credit that exceeds \$250,000

Rationale: Limiting this income tax credit for a period of time will help prevent more K-12 cuts because it means more revenue for the state budget.

Status: Sent to the Governor

**PI - HB 1206 – Fischer, Bacon – Voting Rights on CSU System Board – Education – T**

Grants voting rights to student members of the Board of Governors of the CSU system; directs the Governor to appoint the student members

Status: PI by Senate Education Committee, March 18

**PI - HB 1207 – Lambert, K. King – Defined Contribution Plan – State Affairs – O**

Creates a PERA Defined Contribution (DC) Plan for all new hires after 2011; members not eligible for retirement would have the opportunity to make a one-time irrevocable option to switch from the DB plan to the DC plan; leaves other members in the Defined Benefit Plan with a Rule of 95 (minimum age 65); the HAS would be based on the highest five years and annual increases in salary would be limited to 5% for the HAS calculation; purchasing service credit would be prohibited after January 2011; retiree COLA would be the lesser of 2% or the actual increase in the CPI; gives the authority for determining PERA's annual rate of return on investments to the Legislature which will determine the expected annual return based on the actual return average of the previous three years

Rationale: We oppose changing PERA into a Defined Contribution plan. (PERA Board opposes the bill.)

Status: PI by House State Affairs Committee, February 23

**LAW - HB 1208 – Todd, Shaffer – Higher Ed Statewide Transfer Agreements – Education – T**

Requires the Colorado Commission on Higher Education to complete at least 14 transfer agreements for degrees recommended by the institutions' governing boards based on student demand and workforce need (transfer agreements allow a student with an AA or AS to transfer to a four-year school as a junior)

Status: Signed into law, May 5

**HB 1210 – Weissmann, Morse – Redistricting Process – State Affairs – T**

Updates state law relating to redistricting by requiring the Colorado Reapportionment Commission appointed in 2011 to designate in its plan which Senatorial districts will stand for election in 2012 and which in 2014; if a Senator elected in 2010 vacates his or her seat prior to the start of the 2013 regular legislative session, the vacancy shall be filled from the district from which the Senator was elected; however, any election in 2012 shall be from the newly drawn district; if such Senator vacates his or her seat on or after the start of the 2013 regular legislative session, the vacancy shall be filled from the newly drawn district; contains a legislative declaration that because 2012 is a presidential election year and precinct caucuses may be held February 7, 2012, time for the commission to complete its final plan is shortened; urges the commission and the Supreme Court to approve a final redistricting plan by December 14, 2011;  
AMENDED

Status: Sent to the Governor

**PI - HB 1253 – Peniston, Spence – Gifted & Exceptional Children’s Education Act – Education – T**

Distinguishes the education of gifted children from that of children with disabilities under the Exceptional Children’s Education Act; requires the State Board to appoint a gifted education advisory committee; clarifies the proper use of funding for the education of gifted children; adds a requirement that gifted children have advanced learning plans  
 Status: PI by House Education Committee, March 4

**PI - HB 1254 – Sonnenberg, Brophy – Graduation Requirements – Education – O**

Requires the State Board of Education to include in graduation guidelines a requirement that every child achieve either a Proficient level or higher on the 10<sup>th</sup> grade CSAP reading, writing, and math tests or a score on a postsecondary and workforce readiness assessment that indicates he/she has attained postsecondary or workforce readiness; exempts home-schooled students and students with disabilities from this requirement  
 Rationale: We oppose linking CSAP scores to graduation requirements.  
 Status: PI by House Education Committee, February 25

**PI - HB 1257 – Gerou, Scheffel – Limits Property Tax Exemption – Finance – O**

Links an increase in number of state employees to a requirement that the minimum value of a senior’s/ disabled veteran’s primary residence must be \$200,000 to qualify for the homestead property tax exemption  
 Rationale:  
 Status: PI by House Appropriations Committee, March 5

**PI - HB 1263 – Pommer/Boyd – Limit Income Tax Benefit for Compensation – Finance – S**

Increases Colorado taxable income for the purposes of calculating state income tax to an amount equal to salary or compensation over \$250,000 paid to an individual/claimed as a federal tax deduction  
 Rationale: The bill would result in more state revenue.  
 Status: PI by House Finance Committee, April 30

**LOST - HB 1272 – McCann, Steadman – School Board Contribution Limits – State Affairs – T**

Establishes a \$2500 limit on contributions from individuals to school board candidates (and candidates for RTD) - \$2500 for the Primary, \$2500 for the General Election; establishes a \$5,000 limit on contributions from small donor committees to school board candidates and RTD director candidates (\$5,000 for the Primary, \$5,000 for the General Election); applies current law regarding disclosure of campaign contributions to the Secretary of State  
 Status: Lost in the House on second reading

**LAW - HB 1273 – Merrifield, Spence – Visual/Performing Arts Education – Education – T (changed from O)**

Requires all public schools to provide visual and performing arts education; ~~makes proficiency in these two areas a condition of high school graduation beginning with the ninth grade class of 2010-11~~; requires students’ individual career-academic plans to include progress in these areas; incorporates visual and performing arts education into the state model academic content standards, assessments, etc., and into other state laws such as drop-out prevention and career/technical education  
 Rationale: ~~We oppose linking proficiency in these areas to high school graduation.~~ The bill was changed to eliminate the provision making proficiency in the arts a high school graduation requirement.  
 Status: Signed into law, May 18

**LAW - HB 1274 – Schafer, Johnston – Out-of-Home Juvenile Transition – Education – T**

Requires Dept. of Human Services to notify schools 10 days before a student enrolls who has been in out-of-home placement and is identified as presenting a potential risk to himself or other students; encourages the school to gather medical, mental health, school achievement, and other data about the child and develop a transition plan; requires the Dept. of Human Services and CDE to enter into an MOU that includes a consistent, uniform approach to sharing data between schools and county social services departments, a plan to use existing state and federal data, an appeals process if the school and social services disagree about the student’s enrollment; AMENDED  
 Status: Signed into law, May 25

**PI - HB 1295 – Lambert, Lundberg – Private School Tax Credits – Finance – O**

Establishes the Quality Education and Budget Reduction Act and a private school tuition income tax credit (on or after January 1, 2011) that allows a taxpayer to claim a credit when a private school (1) issues the taxpayer a credit certificate for enrolling a student in the private school or (2) offers a scholarship to a student to enroll in the private school; sets the amount of the tax credit as the amount of the scholarship OR 50% of the prior year’s State Average Per-Pupil Revenue whichever is less (commensurate amounts for students who attend the private school half-time); Establishes an income tax credit for parents who home-school their child: \$1,000 tax credit for each child who was enrolled on a full-time basis in a public school (\$500 tax credit for each child enrolled half time)

Rationale: We oppose all attempts – through vouchers or private school tax credits – to use public tax dollars for private and religious schooling.

Status: PI by House Finance Committee, February 24

**PI - HB 1296 – Swalm, Penry – Private School Tax Credits – Finance – O**

Creates a new \$1,000 tax credit effective January 2011 for taxpayers who enroll their children in private schools; includes children who are enrolled full time in a public school and switch to a private school and children who would be entering kindergarten for the first time; does not apply to taxpayers whose children are enrolled in private schools or home-schooled as of January 2011; requires the private school to issue credit certificates which are filed with the taxpayer's tax return;

Requires that a grant be made to any school district that loses a student for whom a tax credit is claimed, to be passed on to the specific school the student would have attended if he had not been enrolled in a public school

Rationale: We oppose all attempts – through vouchers or private school tax credits – to use public tax dollars for private and religious schooling.

Status: PI by the House Finance Committee, February 23

**LAW - HB 1318 – Pommer, Tapia – Minimum State Funding for K-12 – T**

Suspends the minimum state aid requirement in current law for 2010-11 through 2014-15 budget years; requires CDE to estimate the fiscal impact of and the potential number of districts that will be impacted by the reinstatement of the requirement in 2015-16; AMENDED

Status: Signed into law, March 18

**HB 1335 – Massey – BOCES School Food Program – Education – T**

Authorizes BOCES units to operate food-service facilities for constituent school districts; creates the BOCES healthy Food Grant Program in CDE to help BOCES operate such facilities; requires BOCES that get the grants to distribute food/beverages that meet nutritional standards

Status: Sent to the Governor

**HB 1336 – S. Schafer – School Safety Expenditures – Judiciary, Appropriations – T**

Creates the School Safety Resource Center Cash Fund and authorizes the Department of Public Safety to accept gifts, grants, and donations for the center

Status: Sent to the Governor

**PI - HB 1337 - Lambert/White – Teacher Compensation at D&B School – Appropriations – T**

Prohibits teachers at the Deaf and Blind School to get increased compensation unless the General Assembly appropriates the increase to CDE/School for the D&B

Status: PI by the House Appropriations Committee, February 19

**HB 1343 – T. Carroll – Charter Schools Governance Standards – Education – T**

Directs the State Board of Education to adopt quality standards for charter school operations, finance, and governance by January 2011; requires charter schools to incorporate these standards into their policies

Status: House Education laid over unamended (amendments failed)

**HB 1344 – T. Carroll – Authorizing Standards for Charter Schools – Education – T**

Defines specific quality standards to which local school boards and the Charter School Institute must adhere as charter school authorizers

Status: House Education laid over unamended (amendments failed)

**HB 1345 – T. Carroll – Emergency Powers over Charter Schools – Education – T**

Gives authority to a local school board or the Charter School Institute to request of the Commissioner of Education the power for an external entity to have control over a charter school that is in an emergency situation; permits the Commissioner to grant a temporary or preliminary order, an order to reorganize, or an order authorizing the school to petition to bankruptcy; allows the Commissioner to appoint the authorizer of the charter or a separate entity to act as fiduciary to take control of the charter school's operations

Status: House Education laid over unamended (amendments failed)

**LAW: HB 1369 – Scanlan, Bacon – K-12 School Finance – Education and Health/Human Services – O**

Amends the Public School Finance Act of 1994 (“school finance act”) to modify the funding for K-12 public schools for the 2010-11 budget year; for the 2010-11 budget year, the statewide base per pupil funding increases to \$5,529.71 to account for a -0.6% inflation rate plus one percentage point; cuts K-12 by \$260M below FY 09-10 levels through a new School Finance Act “budget stabilization factor”\* that would be in place for two years (FY 10-11 and 11-12); includes no new revenue; forces the seven property-tax rich districts to reduce their revenue from voter-approved mill levies by the same percentage as the other 171 districts are reduced by the bill (Aspen, Clear Creek, Estes Park, Gunnison, Park, Summit, and West Grand); HOUSE AMENDMENTS:

Rationale: We oppose the bill as it violates Amendment 23 of the Colorado Constitution.

Status: Signed into law, May 21

\*The State Budget Stabilization Factor is calculated by dividing \$260M reduction by the sum of Total Program for all districts for the 10-11 budget year.

Each district's State Budget Stabilization reduction is calculated by multiplying the district's total program for the 10-11 budget year by the State Budget Stabilization Factor. A district's total program funding for 2010-11 budget year shall be the greater of the amount of the district's total program, including any funding for institute charter schools, minus the district's State Budget Stabilization reduction amount or the base per-pupil funding amount multiplied by the district's funded pupil count.

The state will also apply the State Budget Stabilization Factor to a district's online funding and ASCENT (concurrent K-12 and college enrollment) program pupil funding.

Categorical buy-out districts - For any district that levies the number of mills that will generate property tax revenue in an amount equal to the district's total program, the district's total program shall be the district's total program as calculated before the Budget Stabilization Factor is applied. In any budget year in which this budget reduction factor is applied to total program, each categorical buy-out district shall reduce the amount of property tax revenue it is authorized to raise and expend (because of a voter-approved mill levy override) by the amount of the district's State Budget Stabilization reduction.

District's mill levy override limit - For the purpose of determining the maximum amount of additional local property tax revenues a district may receive, a district's total program shall be the district's total program as calculated before the Budget Stabilization factor is applied.

**HB 1370 – Court, Steadman – Ballot Measure Disclosure Requirements – State Affairs - S**

Requires the Secy of State to notify the proponents of a statewide initiative petition at the time a petition is approved that the proponents must register an issue committee if 200 or more petition sections are printed or accepted in connection with the petition's circulation;

Requires each person who submits written comments to the Legislative Council in connection with drafting the arguments for/against initiated and referred measures for the “Blue Book” (ballot information book) to provide certain information;

Requires that the for/against arguments for each measure in the Blue Book be preceded by a phrase referencing the Secy of State's Election Center web site where the committees that support/oppose the measures are noted;

Requires an issue committee that makes an expenditure in excess of \$1,000 on a communication that is broadcast, printed, mailed, or delivered to disclose, in the communication produced by the expenditure, the name of the issue committee making the expenditure;

Specifies that upon a determination by the office of administrative courts that an issue committee knowingly or intentionally failed to file a report required pursuant to the state's campaign finance laws, the administrative law judge shall direct the issue committee to file any such report within 10 days and may, in addition to any other penalty, impose a penalty not to exceed \$20 for each contribution received and expenditure made by the issue committee that was not timely reported

Status: Passed both chambers

**HB 1383 – Pommer, White – Higher Education Funding – Appropriations –T**

Expands the use of the CollegeInvest Scholarship Trust Fund to include funding need-based financial aid; makes a one-time transfer of \$29.8 million from the CollegeInvest fund to the General Fund; removes the requirement for fiscal year 2010-11 concerning increasing appropriations for student financial assistance

Status: Sent to the Governor

**PI - HB 1406 – A. Kerr – Green Schools Energy Efficiency – Education - S**

Requires newly constructed or redesigned school buildings and structures to satisfy minimum energy-efficiency design standards; requires the state fire suppression administrator, in consultation with the governor's energy office, to establish and adopt rules concerning energy-efficient design and construction of school buildings and structures which,

at a minimum, shall ensure that a school building or structure achieves a satisfactory certification rating based on an energy and environmental design rating system developed by a nonprofit trade organization

Status: PI by the House Education Committee, April 26

**LAW - HB 1412 – T. Carroll – Charter School Authorizer Standards – Education –S**

Creates the 13-member Charter School and Charter Authorizer Standards Review Committee and charges it with making recommendations to the State Board and the Legislature concerning standards for charter schools and charter school authorizers; requires the State Board, after it receives the committee's recommendations, to adopt standards for charter schools and charter school authorizers based the committee's recommendations; repeals the committee July 1, 2012

Status: Signed into law, May 21

**PI - HB 1419 – Middleton, Bacon – Charter School Application Process - Education - T**

Changes various provisions of the application process for charter schools: The reviewing local school board shall maintain a record of its application review; if the local board determines that an application is incomplete, it shall notify the charter applicant within seven calendar days and request necessary supplemental information; the charter school application shall have seven days to provide this information; requires people who testify at community meetings regarding charter school applications to identify their affiliation with the district or charter applicant;

Requires the school board, if it does not review or if it denies a charter school application, to state its reasons, including specific findings of fact and an application of the findings of fact to the standards for charter schools;

Establishes standards for districts to use in charter school application reviews;

Requires a charter applicant, when appealing to the State Board concerning the local board's decision, to bear the burden of proving that the local board failed to make a finding based on the standards or another ground permitted by law or to prove that the local board's decision was not supported by the record

Status: PI by the House Education Committee, April 29

**HB 1423 – Court, Heath – Residency for Initiative Petition Circulators – State Affairs – O**

Eliminates the requirement that a petition circulator must be a resident of Colorado

Rationale: We support the law passed by the 2009 General Assembly to address fraud in petition circulation.

This bill repeals a section of that law.

Status: Introduced April 26, no action taken

**HB 1424 – Court, Heath – Initiative Petition Filing Deadline – State Affairs – O**

Changes the deadline for filing an initiative petition with the Secy of State to three months prior to the election (current language established by HB 09-1326 is three months and three weeks prior to)

Rationale: We support the law passed by the 2009 General Assembly. This bill repeals a section of that law.

Status: Introduced April 26, no action taken

**HB 1425 – Miklosi – DPS Postretirement Employment Limit – Finance – S**

Provides an exemption from the postretirement employment limit for a PERA retiree who was an hourly employee of DPS or a DPS charter school when the DPSRS-PERA merger took effect, so long as the retiree continues to be employed by the same pre-merger employer; requires such a retiree to make the working retiree contribution required by law and requires the DPS or DPS charter school to make the applicable employer contribution, amortization equalization disbursement, and supplemental amortization equalization disbursement payments required by law

Status: Sent to the Governor

**HB 1430 – Solano, Hudak – New K-12 Assessment – Education –S**

Replaces the 9th-grade CSAP with the Postsecondary and Workforce Planning Assessment, to be administered by the state starting in the 2010-11 academic year; replaces the 10th-grade CSAP assessments with the this same assessment, to be administered by the state starting in the 2011-12 academic year; and replaces the 11th-grade ACT with the same this same assessment; starting in the 2012-13 academic year;

Repeals CSAP effective July 1, 2013;

Extends the dates for adopting the new system; requires the State Board to adopt the Postsecondary and Workforce Planning, Preparation, and Readiness Assessments within the next three years and ensure that the entire system is in place no later than the 2013-14 academic year; requires that the new system include statewide, summative assessments only in math and reading as adopted by the State Board working with a

state consortia; also to include formative and interim assessments adopted and administered by local school boards within State Board parameters;  
 Specifies that the results of the statewide summative assessments and the Postsecondary and Workforce Readiness assessments are the only assessment data that CDE may collect and include in the Colorado Growth Model; requires school districts to use the results of the formative and interim assessments for diagnostic purposes;  
 Requires the State Board to convene an assessment stakeholder committee to assist in designing the system;  
 Requires CDE to work with the committee to create a resource bank of interim assessments, best practices, rubrics, and other tools to support school districts adopting and implementing their assessments;  
 Requires the new system to include, to the extent practicable and economically feasible, on-line and electronic assessments; requires all the assessments in the system to be valid and reliable, measure 21st century skills, and provide relevant, useable information;  
 Repeals the now obsolete language referring to school performance ratings

AMENDED:

Status: Passed both chambers

**LOST - HCR 1002 – Benfield, Williams – Authority to Enact Additional Education Funding – Education - S**

Refers a measure to the 2010 General Election ballot that authorizes the Legislature to enact law that raise taxes without voter approval if the resulting revenues are used for the funding of preschool through college education; exempts such revenues from TABOR (requires a two-thirds approval by each chamber to refer it to the ballot; does not go to the Governor)

Status: Lost on third reading in the House

**PI - HCR 1007 – Sonnenberg – Transfer GOCO Money to Education – State Affairs – T**

Refers a measure to the 2010 General Election ballot that directs the State Lottery to transfer all lottery proceeds to the State Education fund if the General Assembly declares a state fiscal emergency by resolution of two-thirds of each house and the Governor's approval

Status: PI by House Education Committee, May 3

**PI - HJR 1030 – Swalm, Spence – Avoiding Teacher Layoffs – Education – O**

Resolves that the Legislature believes that contract renegotiations and the ceding of pay raises and benefits are unfortunate, but necessary to preserve jobs and thus encourages school districts and teachers to be flexible in current and future contract negotiations and urges these parties to examine and approach employee contracts in a fashion that will allow districts to retain all employees at reduced salaries rather than being forced to lay off an untold number of individual employees

Status: PI by House Education Committee, May 3