



COLORADO CATTLEMEN'S ASSOCIATION

## 2012 Second Regular Legislature Session of the Sixty-eighth General Assembly CCA Tracking List

(Bills listed by house and number)

Last updated: March 9, 2012

\* CAPITALIZED TEXT and ~~struckthrough~~ text within summary indicates amendments.

### Senate Bills

**SB 12-008: Brophy, Giron, Hodge, Roberts, Schwartz (Sonnenberg, Baumgardner, Swerdfeger, Vigil, Wilson)**

**CONCERNING POSTPONEMENT OF THE REPEAL OF REQUIREMENTS TO REPLACE WELL DEPLETIONS TO THE DENVER BASIN AQUIFERS.**

**Water Resources Review Committee.** Law that is currently in effect:

- Requires wells that pump from the Dawson aquifer to replace actual out-of-priority depletions; and
- Specifies that the replacement obligation for all Denver basin aquifers continues after pumping stops to compensate for depletions.

This law is scheduled to repeal on July 1, 2012.

The new law that will automatically become effective on July 1, 2012, would require:

- Wells that pump from the Dawson aquifer to replace actual stream depletions to the extent necessary to prevent any injurious effect on other water rights based on actual aquifer conditions; and
- Replacement after pumping ceases for all Denver basin aquifers only if required to compensate for injurious depletions.

There is currently no modeling tool available to calculate depletions according to actual aquifer conditions. Accordingly, the bill postpones the repeal of the current law until July 1, 2015.

**Committee Assignments:** Agriculture, Natural Resources, and Energy

**Status:** 01/11/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy

01/19/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer

Unamended - Consent Calendar to Senate Committee of the Whole

01/25/2012 Senate Second Reading Laid Over Daily

01/30/2012 Senate Second Reading Passed

01/31/2012 Senate Third Reading Passed  
02/06/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/13/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer  
Unamended to House Committee of the Whole  
02/16/2012 House Second Reading Laid Over Daily  
02/17/2012 House Second Reading Passed  
02/20/2012 House Third Reading Passed  
03/01/2012 Sent to the Governor  
03/01/2012:42 AM 04:10 Signed by the President of the Senate  
03/01/2012:05 AM 04:20 Signed by the Speaker of the House

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5E501ACA60B5361487257981007DDA0C?Open&file=SB008\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5E501ACA60B5361487257981007DDA0C?Open&file=SB008_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/5E501ACA60B5361487257981007DDA0C?Open&file=008\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/5E501ACA60B5361487257981007DDA0C?Open&file=008_01.pdf)

**SB 12-009: Hodge, Brophy, Giron, Roberts, Schwartz (Swerdfeger, Baumgardner, Sonnenberg, Vigil, Wilson)**

**CONCERNING THE CONSOLIDATION OF CASH FUNDS ADMINISTERED BY THE DIVISION OF WATER RESOURCES.**

**Water Resources Review Committee.** The bill consolidates several funds administered by the division of water resources into a newly created water resources cash fund. **Section 1** of the bill creates the water resources cash fund and consolidates into a single section the laws governing the fund's allowable uses. **Section 2** repeals the water data bank cash fund, division of water resources publication cash fund, and division of water resources ground water management cash fund. **Section 3** repeals the ground water publication fund, **section 4** repeals the gravel pit lakes augmentation fund, and **section 5** repeals the well enforcement cash fund. **Sections 6 through 11** make conforming amendments.

**Committee Assignments:** Agriculture, Natural Resources, and Energy

**Status:** 01/11/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy

01/26/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Unamended -  
Consent Calendar to Senate Committee of the Whole

02/01/2012 Senate Second Reading Laid Over Daily

02/06/2012 Senate Second Reading Passed

02/07/2012 Senate Third Reading Laid Over Daily

02/08/2012 Senate Third Reading Passed

02/13/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

02/27/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to  
Finance

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2A77B411C89538AA87257981007DDAFB?Open&file=SB009\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2A77B411C89538AA87257981007DDAFB?Open&file=SB009_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2A77B411C89538AA87257981007DDAFB?Open&file=009\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2A77B411C89538AA87257981007DDAFB?Open&file=009_01.pdf)

**SB 12-048: Schwartz (Coram)**

**CONCERNING THE CREATION OF THE "COLORADO COTTAGE FOODS ACT" FOR LOCALLY PRODUCED HOME FOODS SOLD DIRECTLY TO CONSUMERS.**

The bill creates the "Colorado Cottage Foods Act", exempting small producers from the licensing requirements placed on retail food establishments and requiring producers to be certified in safe food handling and processing.

The bill limits the liability of food banks that distribute food produced pursuant to the "Colorado Cottage Foods Act". The bill also limits the liability of schools and nonprofit organizations when their kitchens are used by producers to prepare goods for sale directly to consumers.

The bill also exempts a person who produces and sells less than 250 dozen eggs per month on the premises at which the eggs are produced or at a farmer's market or similar venue from the licensing requirements for sellers of eggs.

**Committee Assignments:** Agriculture, Natural Resources, and Energy

**Status:** 01/11/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy  
01/26/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Amended to Senate Committee of the Whole  
02/01/2012 Senate Second Reading Laid Over Daily  
02/06/2012 Senate Second Reading Passed with Amendments  
02/07/2012 Senate Third Reading Laid Over Daily  
02/08/2012 Senate Third Reading Passed  
02/13/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/27/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to House Committee of the Whole  
03/01/2012 House Second Reading Laid Over Daily  
03/02/2012 House Second Reading Passed  
03/05/2012 House Third Reading Passed  
03/07/2012:03 AM 04:10 Signed by the President of the Senate

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007DD1AD?Open&file=SB048\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007DD1AD?Open&file=SB048_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007DD1AD?Open&file=048\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007DD1AD?Open&file=048_01.pdf)

**SB 12-059: Brophy (Sonnenberg)**

**CONCERNING COMMERCIAL VEHICLE STANDARDS APPLIED TO CERTAIN VEHICLES UNDER TWENTY-SIX THOUSAND ONE POUNDS.**

The bill raises from 10,001 to 26,001 pounds the gross combination rating of a motor vehicle and trailer that triggers compliance with the commercial vehicle standards. In addition, a person who is transporting livestock in motor vehicle and trailer combination is exempt from the standards if the motor vehicle without the trailer is not a commercial vehicle exceeding 14,000 pounds gross vehicle weight rating, regardless of whether the trailer would make it exceed that weight.

**Committee Assignments:** Transportation

**Status:** 01/13/2012 Introduced In Senate - Assigned to Transportation  
02/14/2012 Senate Committee on Transportation Refer Amended to Appropriations  
03/02/2012 Senate Committee on Appropriations Refer Unamended to Senate Committee of the Whole  
03/06/2012 Senate Second Reading Laid Over Daily  
03/08/2012 Senate Second Reading Passed with Amendments

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/66821BD67473BCB487257981007CC5AB?Open&file=SB059\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/66821BD67473BCB487257981007CC5AB?Open&file=SB059_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/66821BD67473BCB487257981007CC5AB?Open&file=059\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/66821BD67473BCB487257981007CC5AB?Open&file=059_01.pdf)

**SB 12-068: Guzman (Massey)**

**CONCERNING PROHIBITING THE INCLUSION OF INDUSTRIALLY PRODUCED TRANS FATS IN FOODS MADE AVAILABLE TO STUDENTS BY PUBLIC SCHOOLS.**

The bill prohibits a public school or institute charter school from making available to a student a food item that contains any amount of industrially produced trans fat. The prohibition applies to all food and beverages made available to a student on school grounds during each school day and extended school day, including but not limited to a food or beverage item made available to a student in a school cafeteria, school store, vending machine, or other food service entity existing upon school grounds or through any fundraising effort conducted by one or more students, teachers, or parents.

**Committee Assignments:** Agriculture, Natural Resources, and Energy

**Status:** 01/13/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy  
02/16/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Amended to Appropriations

**CCA Position: Oppose**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5864FF87D6435B0A87257981007E0502?Open&file=SB068\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5864FF87D6435B0A87257981007E0502?Open&file=SB068_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/5864FF87D6435B0A87257981007E0502?Open&file=068\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/5864FF87D6435B0A87257981007E0502?Open&file=068_01.pdf)

**SB 12-094: Hodge, Carroll, Aguilar, Boyd, Giron, Guzman, Harvey, Hudak, Jahn, Mitchell, Neville, Newell, Nicholson, Schwartz, Steadman, Tochtrop, White (Szabo, Acree, Balmer, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, DelGrosso, Ferrandino, Gardner B., Holbert, Hullinghorst, Jones, Joshi, Kerr J., Liston, Looper, Murray, Nikkel, Pabon, Priola, Ramirez, Scott, Swalm, Swerdfeger, Todd, Tyler, Waller, Williams A.)**

**CONCERNING CLARIFICATION OF THE DEFINITION OF FOOD USED IN STATE SALES TAX LAWS TO ENSURE THAT THE TREATMENT FOR SALES TAX PURPOSES OF A FOOD PRODUCT SOLD FOR DOMESTIC HOME CONSUMPTION BY A GROCERY STORE, SUPERMARKET, OR CONVENIENCE STORE DOES NOT CHANGE SOLELY BECAUSE THE STORE SELLS THE FOOD PRODUCT OR MARKETS THE FOOD PRODUCT FOR SALE AS A CONVENIENCE FOOD.**

The bill amends the definition of "food" used in state sales tax laws to ensure that the treatment for sales tax purposes of a food product sold for domestic home consumption by a grocery store, supermarket, or convenience store does not change solely because the store sells the food product or markets the food product for sale as a convenience food.

**Committee Assignments:** Business, Labor and Technology

**Status:** 01/19/2012 Introduced In Senate - Assigned to Business, Labor and Technology  
01/25/2012 Senate Committee on Business, Labor and Technology Refer Unamended - Consent Calendar to Senate Committee of the Whole  
01/30/2012 Senate Second Reading Passed  
01/31/2012 Senate Third Reading Passed  
02/02/2012 Introduced In House - Assigned to Local Government  
02/15/2012 House Committee on Local Government Refer Amended to House Committee of the Whole  
02/20/2012 House Second Reading Laid Over Daily  
02/21/2012 House Second Reading Passed with Amendments  
02/22/2012 House Third Reading Passed  
02/23/2012 Senate Considered House Amendments - Result was to Concur – Repass  
03/01/2012 Sent to the Governor  
03/01/2012:19 AM 04:10 Signed by the President of the Senate  
03/01/2012:51 AM 04:20 Signed by the Speaker of the House

**CCA Position: Monitor**

**FISCAL NOTES:**

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/22179A0777C5618787257981007E0CCE?Open&file=SB094\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/22179A0777C5618787257981007E0CCE?Open&file=SB094_00.pdf)

**BILL LINK:**

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/22179A0777C5618787257981007E0CCE?Open&file=094\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/22179A0777C5618787257981007E0CCE?Open&file=094_01.pdf)

**SB 12-097: Hodge (None)**

**CONCERNING A SIMPLIFIED PROCEDURE FOR THE ADJUDICATION OF CERTAIN CHANGES OF THE POINTS OF DIVERSION OF WATER RIGHTS.**

Under current law, all changes of water rights, including changes in the point of diversion, must be adjudicated. The bill creates a simplified procedure for the adjudication of a simple change in a surface point of diversion, which is defined as a change in the point of diversion from a decreed surface diversion point to a new surface diversion point that is not combined with, and does not include, any other type of change of water right and for which there is no intervening surface diversion point or inflow from a surface stream or other surface discharge between the new point of diversion and the diversion point from which a change is being made. The new procedure applies to a change of point of diversion that has already been physically accomplished or with respect to a requested future change of point of diversion.

There is a rebuttable presumption that a simple change in a surface point of diversion will not cause an enlargement of the historical use associated with the water rights being changed. The resulting decree must not requantify the water rights for which the point of diversion is being changed. The applicant is not required to prove:

- That the water diverted at the new point of diversion can and will be diverted and put to use within a reasonable period of time;
- Compliance with the anti-speculation doctrine; or
- Future need for the water or other similar requirements imposed by case law or statute.

**Committee Assignments:** Agriculture, Natural Resources, and Energy

**Status:** 01/19/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy  
02/02/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Amended to Senate Committee of the Whole  
02/08/2012 Senate Second Reading Laid Over Daily  
02/13/2012 Senate Second Reading Passed with Amendments  
02/14/2012 Senate Third Reading Passed  
02/16/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/27/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to House Committee of the Whole  
03/01/2012 House Second Reading Laid Over Daily  
03/02/2012 House Second Reading Passed with Amendments  
03/05/2012 House Third Reading Passed  
03/07/2012 Senate Considered House Amendments - Result was to Concur - Repass

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/699875D41C569D2187257981007DAE12?Open&file=SB097\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/699875D41C569D2187257981007DAE12?Open&file=SB097_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/699875D41C569D2187257981007DAE12?Open&file=097\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/699875D41C569D2187257981007DAE12?Open&file=097_01.pdf)

**SB 12-107: Carroll (Wilson)**

**CONCERNING ADDITIONAL PROTECTIONS FOR WATER RELATING TO HYDRAULIC FRACTURING.**

The bill enacts the "Water Rights Protection Act", under which the Colorado oil and gas conservation commission (commission) must establish rules for:

- Hydraulic fracturing near radioactive materials and sites listed on the national priority list pursuant to the federal "superfund" law; and

- The shut-down of hydraulic fracturing operations when monitoring equipment detects a pressure drop.

Oil and gas operators must submit water quantity reports showing projected and actual sources and amounts of water needed for hydraulically fracturing a well. Operators must also submit pre- and post-fracturing water quality reports for all active water wells located within .5 mile of oil and gas wells that will be or have been hydraulically fractured. This information will be posted on the commission's web site. Operators cannot inject into the ground any chemical compound that would cause cancer.

In addition to existing financial assurances, each operator that engages in a high-risk hydraulic fracturing treatment must take out an environmental bond that would be forfeited if the operator's operations cause any damage to water rights.

Subject to listed affirmative defenses, an operator is presumed to be responsible for the pollution of a water supply that is within .5 mile of a line between the well head and the surface projection of the bottom hole location of the well, if the pollution occurred within 6 months after the completion of the hydraulic fracturing of the well. Hydraulic fracturing would be prohibited within .5 mile of any surface water, including a pond, reservoir, or other natural or artificial impoundment or stream, ditch, or other artificial waterway, unless the operator uses a closed-loop system.

**Committee Assignments:** Judiciary

**Status:** 01/31/2012 Introduced In Senate - Assigned to Judiciary

**CCA Position: Oppose**

*FISCAL NOTES:*

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/0A93185AA46CAEC587257981007F573B?Open&file=107\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/0A93185AA46CAEC587257981007F573B?Open&file=107_01.pdf)

**SB 12-153: Morse (None)**

**CONCERNING THE CREATION OF THE "SUNSHINE IN LITIGATION ACT".**

The bill creates a rebuttable presumption that information concerning a public hazard (information) must be disclosed in a court action. A party objecting to the disclosure can seek a protective order to limit disclosure if the court finds, by clear and convincing evidence, that certain factors have been met, including that the information is not relevant to the public hazard and is not useful to members of the public in protecting themselves from injury resulting from the public hazard.

**Committee Assignments:** Judiciary

**Status:** 02/24/2012 Introduced In Senate - Assigned to Judiciary

**CCA Position: Oppose**

*FISCAL NOTES:*

*BILL LINK:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/631F255D5A0A28BC87257981007F40A1?Open&file=153\\_01.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/631F255D5A0A28BC87257981007F40A1?Open&file=153_01.pdf)

# Senate Concurrent Resolutions

## Senate Joint Resolutions

### House Bills

#### HB 12-1002: Sonnenberg (Jahn)

#### CONCERNING THE RULES OF STATE AGENCIES APPLICABLE TO APPLICATIONS FOR PERMITS.

The bill creates the "CLEAR Act", which stands for "Creating Level Expectations For Application Review".

The bill amends the "State Administrative Procedure Act" (APA) to state that the rules *and any written statements of agency interpretation of the statutes* of a state agency in effect on the date that a person applies for a new or renewed permit govern the application for a new permit or for renewal of the permit. If the ~~statutes~~ *rules or any written statements of agency interpretation* governing the agency's permit process *or* the requirements to qualify for a permit have ~~changed and the agency has not yet adopted revisions to the rules to implement the new statute as of the date that a person applies for a new or renewed permit~~ *been amended*, the agency must grandfather in the application under the rules *and any written statements of agency interpretation* in effect on the date of the application, unless the agency determines in writing that:

- The ~~statutory changes~~ *new rules* materially affect the health and safety of the public and that use of the existing, unrevised rules is likely to result in an unsafe situation if the applicant does not comply ~~with the new statutory requirements and~~ with new rules; *or*
- *New rules or new requirements are necessary to ensure that the agency and the permit will be in compliance with the requirements of federal law and federal regulations; or*
- *New rules or new requirements are necessary to ensure that the agency and the permit will be in compliance with the requirements of a court order.*

If the agency ~~makes this determination~~ *determines that one of these exceptions will occur if the applicant does not comply with the new rules or new requirements*, the agency must treat the application as pending, provide a written notice to the person that states the reasons the application is incomplete, and give the person a reasonable opportunity to comply with ~~all the new law~~ *law or new requirements*.

*The bill states that if an agency adopts or amends rules that govern or impact the application process or any permit eligibility requirements after a person has applied for a permit or renewal of a permit and while the application is pending with the agency, the person shall have the option to have the application processed under the rules in existence at the time of the filing of the application or under the new rules.*

The bill defines "permit" as a grant of authority by an agency that authorizes the holder of the permit to do some act not forbidden by law but not allowed to be performed without such authority. "Permit" does not include a professional license issued by a licensing board or agency to conduct a profession or occupation. "Permit" does not include a registration or certification issued by a board or state agency to an individual to pursue a profession, practice, or occupation.

**Committee Assignments:** Economic and Business Development

**Status:** 01/11/2012 Introduced In House - Assigned to Economic and Business Development

01/26/2012 House Committee on Economic and Business Development Refer Amended to House Committee of the Whole  
01/31/2012 House Second Reading Laid Over Daily  
02/01/2012 House Second Reading Passed with Amendments  
02/02/2012 House Third Reading Passed  
02/07/2012 Introduced In Senate - Assigned to Business, Labor and Technology  
02/22/2012 Senate Committee on Business, Labor and Technology Refer Amended to Finance  
03/08/2012 Senate Committee on Finance Refer Unamended to Senate Committee of the Whole

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/BA7F3126663C963287257981007F6841?Open&file=HB1002\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/BA7F3126663C963287257981007F6841?Open&file=HB1002_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BA7F3126663C963287257981007F6841?Open&file=1002\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BA7F3126663C963287257981007F6841?Open&file=1002_01.pdf)

**HB 12-1007: Szabo (Grantham)**

**CONCERNING THE REQUIREMENT THAT A REGULATORY ANALYSIS BE ISSUED PRIOR TO THE PROMULGATION OF RULES BY A STATE ADMINISTRATIVE AGENCY.**

Under current law, if any person so requests, a state administrative agency must issue a regulatory analysis of any proposed rule at least 15 days prior to a rule-making hearing. The bill requires agencies to conduct the analysis *and make it available to the public* for every proposed rule *at least 30 days prior to a rule-making hearing*, regardless of whether an analysis has been requested. The bill also requires each regulatory analysis to include information on the effect of the proposed rule on jobs in Colorado *and the name, phone number, e-mail address, and postal mailing address of a point of contact in the agency to and from whom the public may direct questions or comments and receive communication concerning the regulatory analysis*. If the agency specifies that the proposed rule only makes grammatical, format, or organizational changes and makes no substantive changes, an analysis is not required. *The bill also exempts from the regulatory analysis requirement temporary or emergency rules and rules regulating hunting and fishing licenses*. The bill also states that the general assembly determines that amendments to the law made by this bill can be implemented within existing appropriations and, therefore, no separate appropriation of state moneys or allocation of full time equivalent state employees is necessary to carry out the purposes of the bill.

**Committee Assignments:** Economic and Business Development

**Status:** 01/11/2012 Introduced In House - Assigned to Economic and Business Development

01/31/2012 House Committee on Economic and Business Development Refer Amended to Appropriations

02/17/2012 House Committee on Appropriations Refer Unamended to House Committee of the Whole

02/21/2012 House Second Reading Laid Over Daily

02/27/2012 House Second Reading Passed with Amendments

02/28/2012 House Third Reading Passed

03/02/2012 Introduced In Senate - Assigned to Local Government

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/DFA15DB9F20C624587257981007F0FF7?Open&file=HB1007\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/DFA15DB9F20C624587257981007F0FF7?Open&file=HB1007_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DFA15DB9F20C624587257981007F0FF7?Open&file=1007\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DFA15DB9F20C624587257981007F0FF7?Open&file=1007_01.pdf)

**HB 12-1008: Acree (Jahn)**

**CONCERNING ADDITIONAL METHODS FOR PROVIDING INPUT TO EXECUTIVE BRANCH AGENCIES ABOUT PROPOSED RULES, AND, IN CONNECTION THEREWITH, DIRECTING AGENCIES TO ESTABLISH REPRESENTATIVE GROUPS TO EVALUATE AND COMMENT ON PROPOSED RULES, REQUIRING AGENCIES TO NOTIFY THE GENERAL ASSEMBLY OF ANY RULE-MAKING THAT RESULTS IN INCREASES IN FEES OR FINES, AND REQUIRING AGENCIES TO SUBMIT DEPARTMENTAL REGULATORY AGENDAS TO THE GENERAL ASSEMBLY.**

An executive branch agency of state government considering adopting rules shall establish a representative group of participants with an interest in the subject of the rule-making to submit views or otherwise participate in conferences or to participate in the rule-making hearing on the proposals under consideration. If the agency convenes a representative group prior to issuing a notice of proposed rule-making, the agency shall include the group participants in the notice of the actual rule-making hearing.

If an agency proposes a rule to increase fees or fines, at the time of giving notice of proposed rule-making under the State Administrative Procedure Act or within 10 days following the adoption of an emergency or temporary rule that increases fees or fines, the agency shall send a written or electronic notification to each member of the general assembly notifying the members about the proposed rule or about the adoption of an emergency rule and specifying the amount of the increase in the fees or fines.

Principal departments of state government shall submit a departmental regulatory agenda each November 1 to the legislative council staff for distribution to the applicable oversight committee of reference of the general assembly. The departmental regulatory agenda shall include:

- A list of new rules or revisions to existing rules that the department expects to propose during the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules;
- An identification and listing of persons or parties that may be affected positively or negatively by the rules; and
- An update and brief summary of all permanent and temporary rules actually adopted since the previous departmental regulatory agenda was filed.

Each principal department shall present its departmental regulatory agenda to the applicable oversight committee of reference of the general assembly during the departmental presentations on strategic plans and performance-based budgeting held during the first 15 days of the legislative session.

**Committee Assignments:** Economic and Business Development

**Status:** 01/11/2012 Introduced In House - Assigned to Economic and Business Development

01/24/2012 House Committee on Economic and Business Development Refer Amended to Appropriations

02/06/2012 House Committee on Appropriations Refer Unamended to House Committee of the Whole

02/08/2012 House Second Reading Passed

02/09/2012 House Third Reading Passed  
02/13/2012 Introduced In Senate - Assigned to Finance  
02/23/2012 Senate Committee on Finance Refer Amended to Appropriations  
03/02/2012 Senate Committee on Appropriations Refer Amended to Senate Committee of the Whole  
03/06/2012 Senate Second Reading Laid Over Daily

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/9E777C8B957DCA3F87257981007F11F0?Open&file=HB1008\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/9E777C8B957DCA3F87257981007F11F0?Open&file=HB1008_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/9E777C8B957DCA3F87257981007F11F0?Open&file=1008\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/9E777C8B957DCA3F87257981007F11F0?Open&file=1008_01.pdf)

**HB 12-1010: Baumgardner, Sonnenberg, Swerdfeger, Vigil, Wilson (Giron, Brophy, Hodge, Roberts, Schwartz)**

**CONCERNING THE REISSUANCE OF A LOST SHARE CERTIFICATE OF A MUTUAL DITCH COMPANY.**

**Water Resources Review Committee.** If a person loses a mutual ditch share certificate, the person may file with the mutual ditch company a request for reissuance of the certificate, but current law requires the company to wait for 3 years before issuing a replacement certificate. The bill eliminates the 3-year period and specifies that a person who is named in the books of the company as a lienholder on the lost certificate is also entitled to file a request for reissuance of a lost certificate.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/11/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
01/23/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to House Committee of the Whole  
01/26/2012 House Second Reading Passed  
01/27/2012 House Third Reading Laid Over Daily  
01/30/2012 House Third Reading Passed  
02/01/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy  
02/23/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Unamended - Consent Calendar to Senate Committee of the Whole  
02/28/2012 Senate Second Reading Passed  
02/29/2012 Senate Third Reading Passed  
03/07/2012:03 PM 04:10 Signed by the President of the Senate  
03/07/2012 Sent to the Governor  
03/07/2012:43 PM 04:20 Signed by the Speaker of the House

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/EACEB85B24C4CB6987257981007DB08C?Open&file=HB1010\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/EACEB85B24C4CB6987257981007DB08C?Open&file=HB1010_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/EACEB85B24C4CB6987257981007DB08C?Open&file=1010\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/EACEB85B24C4CB6987257981007DB08C?Open&file=1010_01.pdf)

**HB 12-1014: Baumgardner (None)**

**CONCERNING MODIFICATION OF THE FEE FOR LATE REGISTRATION OF A VEHICLE.**

Effective July 1, 2012, the bill changes the fee for late registration of a vehicle from a fee of \$25 per month to a flat fee of \$20 and repeals an exemption from the late fee for a vehicle that has expired temporary registration number plates, tags, or certificates. The bill also repeals authorization for the department of revenue or a county clerk and recorder acting as an authorized agent of the department to waive or reduce the late fee for an idled commercial or farm vehicle.

**Committee Assignments:** Transportation

**Status:** 01/11/2012 Introduced In House - Assigned to Transportation  
02/02/2012 House Committee on Transportation Refer Amended to Appropriations

**CCA Position:** Support

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/EEC8D607786A111D87257981007DC70D?Open&file=HB1014\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/EEC8D607786A111D87257981007DC70D?Open&file=HB1014_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/EEC8D607786A111D87257981007DC70D?Open&file=1014\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/EEC8D607786A111D87257981007DC70D?Open&file=1014_01.pdf)

**HB 12-1019: Vaad, Barker, Looper, Ramirez, Scott, Tyler (King S., Spence, Williams S.)**

**CONCERNING THE ABOLITION OF THE MOTOR CARRIER SERVICES DIVISION OF THE DIVISION OF MOTOR VEHICLES OF THE DEPARTMENT OF REVENUE, AND, IN CONNECTION THEREWITH, TRANSFERRING THE POWERS, DUTIES, AND FUNCTIONS OF THE MOTOR CARRIER SERVICES DIVISION RELATING TO PORTS OF ENTRY TO THE COLORADO STATE PATROL OF THE DEPARTMENT OF PUBLIC SAFETY AND TRANSFERRING THE POWERS, DUTIES, AND FUNCTIONS OF THE MOTOR CARRIER SERVICES DIVISION RELATING TO COMMERCIAL DRIVER'S LICENSES AND THE INTERNATIONAL REGISTRATION PLAN TO THE DEPARTMENT OF REVENUE.**

**Transportation Legislation Review Committee.** Section 1 of the bill abolishes the motor carrier services division (division) of the division of motor vehicles of the department of revenue (department) and transfers the powers, duties, and functions of the division by type 3 transfers as follows:

- It transfers the ports of entry section of the division to the Colorado state patrol of the department of public safety.
- It transfers the powers, duties, and functions of the division relating to commercial driver's licenses to the department.
- It transfers the powers, duties, and functions of the division relating to the international registration plan to the department.

**Section 11** of the bill defines the term "port of entry officer". **Section 26** of the bill makes the bill effective July 1, 2012. **Sections 2 to 10 and 12 to 25** of the bill make conforming amendments.

**Committee Assignments:** Transportation

**Status:** 01/11/2012 Introduced In House - Assigned to Transportation  
01/25/2012 House Committee on Transportation Refer Amended to Appropriations

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/F40233AB8022CA5D87257981007DB267?Open&file=HB1019\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/F40233AB8022CA5D87257981007DB267?Open&file=HB1019_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F40233AB8022CA5D87257981007DB267?Open&file=1019\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F40233AB8022CA5D87257981007DB267?Open&file=1019_01.pdf)

**HB 12-1027: Bradford (None)**

**CONCERNING THE SALE OF NONPOTENTIALLY HAZARDOUS FOOD PRODUCED IN A HOME KITCHEN FOR SALE DIRECTLY TO CONSUMERS FOR CONSUMPTION OFF PREMISES.**

The bill permits a person to produce nonpotentially hazardous food in that person's own home kitchen for sale directly to consumers for consumption off premises. County or district public health agencies may register persons who produce nonpotentially hazardous food in a home kitchen for sale directly to consumers for consumption off premises. These food products are subject to inspection by local or state public health agencies. Person who produce this food must be certified in food safety.

**Committee Assignments:** Economic and Business Development

**Status:** 01/11/2012 Introduced In House - Assigned to Economic and Business Development  
01/26/2012 House Committee on Economic and Business Development Refer Amended to House Committee of the Whole  
01/31/2012 House Second Reading Passed with Amendments  
02/01/2012 House Third Reading Passed  
02/01/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/BE84697C2242E39C87257981007DD7BB?Open&file=HB1027\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/BE84697C2242E39C87257981007DD7BB?Open&file=HB1027_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BE84697C2242E39C87257981007DD7BB?Open&file=1027\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BE84697C2242E39C87257981007DD7BB?Open&file=1027_01.pdf)

**HB 12-1029: Holbert (Scheffel)**

**CONCERNING AN ECONOMIC STIMULUS THROUGH A PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL PROPERTY, AND, IN CONNECTION THEREWITH, ENACTING THE "SAVE COLORADO JOBS ACT".**

~~The bill exempts business personal property that is purchased at any time during the 2013 calendar year from the levy and collection of property tax.~~

*Counties, municipalities, and special districts currently have statutory authority to negotiate for an incentive payment or credit with a taxpayer who establishes a new business facility or expands an existing business facility. The maximum amount of the payment or credit is 50% of the amount of taxes levied by the respective local government upon the taxable business personal property located at or within the business facility and used in connection with the operation of the business facility for the current property tax year.*

*The bill increases the maximum amount of the payment or credit to the total amount of the taxes levied by the respective local government upon such taxable business personal property.*

**Committee Assignments:** Finance

**Status:** 01/11/2012 Introduced In House - Assigned to Finance  
02/16/2012 House Committee on Finance Refer Amended to House Committee of the Whole  
02/21/2012 House Second Reading Passed with Amendments  
02/22/2012 House Third Reading Passed  
02/24/2012 Introduced In Senate - Assigned to Finance  
03/08/2012 Senate Committee on Finance Refer Unamended to Senate Committee of the Whole

**CCA Position: Oppose**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/A3E81EBC766E278E87257981007F386D?Open&file=HB1029\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/A3E81EBC766E278E87257981007F386D?Open&file=HB1029_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A3E81EBC766E278E87257981007F386D?Open&file=1029\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A3E81EBC766E278E87257981007F386D?Open&file=1029_01.pdf)

**HB 12-1037: Becker (None)**

**CONCERNING THE CLASSIFICATION OF THE SALES OF CERTAIN ITEMS USED IN AGRICULTURAL PRODUCTION AS WHOLESALE SALES.**

The bill classifies the sales of certain agricultural items as wholesale sales rather than retail sales. The effect of such a classification is that the following sales will not be subject to sales tax:

- Sales of agricultural compounds to be consumed by, administered to, or otherwise used in caring for livestock;
- Sales of semen for agricultural or ranching purposes; and
- Sales of pesticides that are registered by the commissioner of agriculture for use in the production of agricultural and livestock products.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/11/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
01/30/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Finance  
02/02/2012 House Committee on Finance Refer Unamended to Appropriations

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/985A636D9CA687FC87257981007DCB6C?Open&file=HB1037\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/985A636D9CA687FC87257981007DCB6C?Open&file=HB1037_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/985A636D9CA687FC87257981007DCB6C?Open&file=1037\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/985A636D9CA687FC87257981007DCB6C?Open&file=1037_01.pdf)

**HB 12-1038: Looper, Barker, Brown, Priola, Ramirez, Scott, Williams A. (Williams S.,)**

**CONCERNING THE CREATION OF A MULTI-YEAR REGISTRATION FOR CLASS A TRAILERS.**

**Transportation Legislation Review Committee. Section 1** of the bill makes a legislative declaration. **Section 2** creates an alternate registration for interstate, commercial trailers and semitrailers if the owner is based in a jurisdiction other than Colorado or, if the owner is based in Colorado, the trailer or semitrailer is at least 10 years old. The registration does not expire until the trailer is sold or transferred. The owner notifies the department when the trailer is sold or transferred. The department will issue a report in 2014, including the cost-effectiveness of this system of registration.

**Section 3** sets the specific ownership tax at \$95.50. **Section 4** sets the registration fee at \$24.50. Of the fee, the department or authorized agent that registers the vehicle retains \$2.00, the county gets \$1.50 for the county road and bridge fund, the statewide bridge enterprise special revenue fund is credited with \$5.00, the Colorado state titling and registration account is credited with \$0.50, the license plate cash fund is credited with \$2.50, and the highway users tax fund is credited with \$13.00.

**Committee Assignments:** Transportation

**Status:** 01/11/2012 Introduced In House - Assigned to Transportation  
02/16/2012 House Committee on Transportation Refer Amended to Appropriations

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2C108E457D90F14787257981007DE028?Open&file=HB1038\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2C108E457D90F14787257981007DE028?Open&file=HB1038_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2C108E457D90F14787257981007DE028?Open&file=1038\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2C108E457D90F14787257981007DE028?Open&file=1038_01.pdf)

**HB 12-1042: Pace (None)**

**CONCERNING A STATE INCOME TAX CREDIT RELATED TO THE PORTION OF COLORADO ESTATE TAXES PAID THAT ARE ATTRIBUTABLE TO AGRICULTURAL LAND.**

The bill establishes an income tax credit for a person who inherits agricultural land located within the state that is equal to the portion of Colorado estate taxes attributable to the transfer of the land. The tax credit is subject to the following requirements:

- If more than one person inherits the land, the credit is apportioned among all beneficiaries;
- If the credit exceeds the income taxes owed, the excess is refundable to the taxpayer; and
- If the land is reclassified in the 10 years after the credit is claimed, the taxpayer is required to repay the credit, with interest, to the state as part of an amended income tax return.

**Committee Assignments:** Finance

**Status:** 01/11/2012 Introduced In House - Assigned to Finance  
02/08/2012 House Committee on Finance Refer Unamended to Appropriations

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/3AF4BC74866EEF5487257981007F34FF?Open&file=HB1042\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/3AF4BC74866EEF5487257981007F34FF?Open&file=HB1042_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/3AF4BC74866EEF5487257981007F34FF?Open&file=1042\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/3AF4BC74866EEF5487257981007F34FF?Open&file=1042_01.pdf)

**HB 12-1050: Wilson (Nicholson)**

**CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE NONGAME AND ENDANGERED WILDLIFE FUND THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS, AND, IN CONNECTION THEREWITH, EXTENDING THE PERIOD FOR THE CONTRIBUTION DESIGNATION.**

The bill extends the period for which state income tax return forms shall include a line whereby individual taxpayers may make a voluntary contribution to the nongame and endangered wildlife fund.

**Committee Assignments:** Finance

**Status:** 01/11/2012 Introduced In House - Assigned to Finance  
01/18/2012 House Committee on Finance Refer Unamended to House Committee of the Whole  
01/24/2012 House Second Reading Passed  
01/25/2012 House Third Reading Passed  
01/31/2012 Introduced In Senate - Assigned to Finance  
02/21/2012 Senate Committee on Finance Refer Unamended - Consent Calendar to Senate Committee of the Whole  
02/24/2012 Senate Second Reading Passed  
02/27/2012 Senate Third Reading Passed  
03/07/2012:47 PM 04:10 Signed by the President of the Senate  
03/07/2012 Sent to the Governor  
03/07/2012:25 PM 04:20 Signed by the Speaker of the House

**CCA Position: Monitor**

*FISCAL NOTES:* NO FISCAL IMPACT

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/627891BC8C87A0C787257981007F0E95?Open&file=HB1050\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/627891BC8C87A0C787257981007F0E95?Open&file=HB1050_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/627891BC8C87A0C787257981007F0E95?Open&file=1050\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/627891BC8C87A0C787257981007F0E95?Open&file=1050_01.pdf)

**HB 12-1066: Priola (None)**

**CONCERNING THE APPLICATION OF VEHICLE LAWS TO POWERSPORTS VEHICLES.**

The bill authorizes off-highway vehicles to be operated on the road with the following limitations:

- The rider must be licensed;
- The vehicle must be registered with the department of revenue;
- The vehicle must be insured;
- The vehicle cannot be driven on a road with a speed limit greater than 45 miles per hour except to cross the road;
- The vehicle cannot be operated on a limited-access highway or state highway; except that the Colorado department of transportation may authorize the use of off-highway vehicles on state highways outside of municipalities;
- The vehicle cannot be driven in certain counties or municipalities with larger populations unless the local government has authorized it;
- The driver cannot carry more people than the vehicle is designed for;
- The vehicle cannot exceed 40 miles per hour; and
- The vehicle must meet equipment standards, including: Seats, seatbelts, brakes, stoplights, red reflectors, mirrors, and headlamps.

Drivers of off-highway vehicles must obey the rules of the road.

A dealer may act as the agent of the department of revenue to issue temporary registrations of off-highway vehicles. The department issues license plates to registered vehicles, but the plates do not need to be renewed. The owner pays a registration fee of \$10, a county fee of \$4, and the motorist insurance database fee of \$0.50.

"Powersports vehicles" include snowmobiles and off-highway vehicles. A repair shop that is entitled to a lien on a powersports vehicle and has released the vehicle for a promise of payment may restore the lien if a person's check is dishonored, in the same manner as with motor vehicles.

Powersports vehicles must be titled in the same manner as motor vehicles when sold by a powersports dealer except with regard to statutory provisions that assume the vehicle will be registered with the department of revenue. Powersports vehicles may be registered by an owner.

**Committee Assignments:** Transportation

**Status:** 01/11/2012 Introduced In House - Assigned to Transportation  
02/01/2012 House Committee on Transportation Refer Amended to Finance  
02/09/2012 House Committee on Finance Refer Amended to Appropriations

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1750A77D3976FF4987257981007E0176?Open&file=HB1066\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1750A77D3976FF4987257981007E0176?Open&file=HB1066_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1750A77D3976FF4987257981007E0176?Open&file=1066\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1750A77D3976FF4987257981007E0176?Open&file=1066_01.pdf)

**HB 12-1083: Sonnenberg (Schwartz)**

**CONCERNING MAINTENANCE OF THE CURRENT FEE STRUCTURE ON CERTAIN FEEDING OPERATIONS UNDER THE "COLORADO WATER QUALITY CONTROL ACT".**

In 2009, the general assembly increased the maximum annual fee that the water quality control agency in the division of administration of the department of public health and environment may impose upon concentrated animal feeding operations and housed commercial swine feeding operations dischargers under the "Colorado Water Quality Control Act" until July 1, 2012. The bill maintains the current fee structure until July 1, 2015, in order to continue the environmental agriculture program.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/17/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

01/30/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Finance

02/15/2012 House Committee on Finance Refer Unamended to Appropriations

03/02/2012 House Committee on Appropriations Refer Unamended to House Committee of the Whole

03/05/2012 House Second Reading Special Order - Passed with Amendments

03/06/2012 House Third Reading Passed

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2AC16D7781BEB8D587257981007F1B82?Open&file=HB1083\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/2AC16D7781BEB8D587257981007F1B82?Open&file=HB1083_00.pdf)

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[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2AC16D7781BEB8D587257981007F1B82?Open&file=1083\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2AC16D7781BEB8D587257981007F1B82?Open&file=1083_01.pdf)

**HB 12-1105: Becker (None)**

**CONCERNING WIND ENERGY PROPERTY RIGHTS.**

The bill establishes a nonseverable wind energy right in real property.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/19/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

01/30/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to House Committee of the Whole

02/06/2012 House Second Reading Laid Over Daily

02/29/2012 House Second Reading Passed with Amendments

03/01/2012 House Third Reading Passed

03/07/2012 Introduced In Senate - Assigned to Local Government

**CCA Position: Monitor**

\*CCA's concerns exists in two areas related to this legislation, which are honoring private property rights via severing the wind estate, as well as, impacts to surface property rights by allowing the wind estate to be severed.

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/DD27838CF592266487257981007F166B?Open&file=HB1105\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/DD27838CF592266487257981007F166B?Open&file=HB1105_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DD27838CF592266487257981007F166B?Open&file=1105\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DD27838CF592266487257981007F166B?Open&file=1105_01.pdf)

**HB 12-1125: Ramirez, Sonnenberg, Looper (Steadman)**

**CONCERNING PROCEDURES RELATED TO THE COSTS OF IMPOUNDED ANIMALS.**

The bill modifies procedural requirements related to the payment of impoundment, care, and provision costs for an animal that has been impounded because of alleged neglect or abuse or other criminal acts involving the animal. Currently, the owner or custodian (owner) of the impounded animal may request a hearing to contest the reasonableness of those costs. The bill specifies that the owner must make that request within 10 days after the date of impoundment. Because costs associated with caring for the animal continue to accrue during the pendency of an animal's impoundment, the bill requires the hearing to be conducted in a criminal court of competent jurisdiction no later than 10 days after the request.

The bill also:

- *Upon request by the owner of an impounded animal, requires an impound agency to allow a licensed veterinarian of the owner's choosing and at his or her expense to examine the animal within 24 hours after the impoundment and conduct follow-up visits as necessary;*
- For an owner requesting a hearing, delays the payment of costs until the date of the hearing;
- Expands the scope of the hearing to include a judicial determination as to whether probable cause existed to justify the impoundment;
- Describes circumstances under which a payment for impoundment, care, and provision costs must be refunded to an owner; and
- Clarifies that the criminal law procedures governing impoundments do not apply to matters solely brought in an administrative context.

In order to increase clarity, **section 1** of the bill also reorganizes the existing statute governing impounded animals. **Sections 2, 3, and 4** make corresponding nonsubstantive amendments to conform current law to that reorganization.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/20/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/06/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to Appropriations  
02/24/2012 House Committee on Appropriations Refer Unamended to House Committee of the Whole  
02/28/2012 House Second Reading Laid Over Daily  
02/29/2012 House Second Reading Passed with Amendments  
03/01/2012 House Third Reading Passed  
03/07/2012 Introduced In Senate - Assigned to Judiciary

**CCA Position: Monitoring**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1A02C6DD2490B66887257981007E03D9?Open&file=HB1125\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1A02C6DD2490B66887257981007E03D9?Open&file=HB1125_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1A02C6DD2490B66887257981007E03D9?Open&file=1125\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1A02C6DD2490B66887257981007E03D9?Open&file=1125_01.pdf)

**HB 12-1126: Gerou (None)**

**CONCERNING ON-SITE WASTEWATER TREATMENT SYSTEMS.**

The bill modernizes and simplifies the laws related to individual sewage treatment systems. **Section 1** of the bill:

- Replaces the terms "individual sewage disposal system" (or "ISDS") with "on-site wastewater treatment system" (or "OWTS") and updates other OWTS-related terms and definitions;
- Eliminates references to disposal of sewage to more accurately convey that sewage is treated;
- Explicitly authorizes performance-based approaches to the regulation of OWTSs;
- Requires the division of administration in the department of public health and environment (department) to periodically advise the water quality control commission (commission) in the department regarding whether the commission should consider adopting new rules to reflect scientific advances in OWTSs;
- Removes specific topics and parameters for which the commission and local boards of health are required to promulgate rules, thus allowing those entities greater regulatory flexibility to regulate OWTSs;
- Reorganizes existing law for increased clarity, including relocating provisions pertaining to the issuance of variances from OWTS rules;
- Withdraws from local boards of health, and places within the purview of the commission, the authority to specify by rule mandatory tests that must be performed on OWTSs and allows local boards of health to adopt rules requiring additional studies;
- Strikes references to a distinct "emergency use permit" and instead incorporates the ability of a local public health agency to allow use of a malfunctioning OWTS under the terms of, and concurrent with, a repair permit;
- Condenses language pertaining to fees that a local board of health may collect for OWTS-related services, and allows the amount of such fees to be sufficient to offset the indirect costs (in addition to direct costs) incurred; and
- Repeals specific provisions relating to, while reaffirming, the authority of a local board of health to prohibit permits for an OWTS when the OWTS will constitute a hazard to public health or water quality.

**Sections 2 through 8** contain conforming amendments.

**Committee Assignments:** Health and Environment

**Status:** 01/20/2012 Introduced In House - Assigned to Health and Environment

02/16/2012 House Committee on Health and Environment Refer Amended to Appropriations

03/02/2012 House Committee on Appropriations Refer Amended to House Committee of the Whole

03/05/2012 House Second Reading Special Order - Passed with Amendments

03/06/2012 House Third Reading Passed

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/A83E9DA30CD7BC5987257981007F0DD6?Open&file=HB1126\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/A83E9DA30CD7BC5987257981007F0DD6?Open&file=HB1126_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A83E9DA30CD7BC5987257981007F0DD6?Open&file=1126\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A83E9DA30CD7BC5987257981007F0DD6?Open&file=1126_01.pdf)

**HB 12-1158: Baumgardner, Scott, Brown, Joshi (Giron and Grantham)**

**CONCERNING THE REGULATION OF PRODUCERS OF MATERIALS THAT MAY BE USED IN COMMERCIAL LIVESTOCK FEED, AND, IN CONNECTION THEREWITH, REPEALING THE "COLORADO INEDIBLE MEAT RENDERING AND PROCESSING ACT OF 1967" AND RELOCATING SOME OF ITS PROVISIONS TO THE "COLORADO FEED LAW".**

The bill repeals the "Colorado Inedible Meat Rendering and Processing Act of 1967" and grants rule-making authority to the commissioner of agriculture to specify labeling and operating requirements for the production of commercial feed under the existing "Colorado Feed Law".

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/20/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/06/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Unamended to House Committee of the Whole  
02/09/2012 House Second Reading Laid Over Daily  
02/10/2012 House Second Reading Passed  
02/13/2012 House Third Reading Passed  
02/14/2012 Introduced In Senate - Assigned to Agriculture, Natural Resources, and Energy  
02/23/2012 Senate Committee on Agriculture, Natural Resources, and Energy Refer Unamended - Consent Calendar to Senate Committee of the Whole  
02/28/2012 Senate Second Reading Passed  
02/29/2012 Senate Third Reading Passed  
03/07/2012 Sent to the Governor  
03/07/2012:42 PM 04:10 Signed by the President of the Senate  
03/07/2012:45 PM 04:20 Signed by the Speaker of the House

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/075F4A131FEA659B87257981007E08FB?Open&file=HB1158\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/075F4A131FEA659B87257981007E08FB?Open&file=HB1158_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/075F4A131FEA659B87257981007E08FB?Open&file=1158\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/075F4A131FEA659B87257981007E08FB?Open&file=1158_01.pdf)

**HB 12-1159: Brown, Barker, Baumgardner, Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad (Nicholson, Cadman, Grantham, King K., Roberts)**

**CONCERNING THE ELECTION OF A COUNTY COMMISSIONER IN A COUNTY WITH A POPULATION OF LESS THAN SEVENTY THOUSAND BY THE VOTERS RESIDING IN THE DISTRICT FROM WHICH THE COMMISSIONER RUNS FOR ELECTION.**

In a county with a population of less than 70,000, the board of county commissioners currently consists of 3 members from 3 separate districts, with one commissioner elected from each district by the voters of the whole county.

The bill allows the voters of a county to change the method of election so that a commissioner is elected only by voters residing in the district from which the commissioner runs for election.

The change can be made either by the board of county commissioners referring a question to the voters or by the qualified electors filing a petition to have the question placed the ballot. Terms of current commissioners are not affected and the change only affects newly elected commissioners.

**Committee Assignments:** Local Government

**Status:** 01/20/2012 Introduced In House - Assigned to Local Government

01/25/2012 House Committee on Local Government Refer Unamended to House Committee of the Whole

01/30/2012 House Second Reading Laid Over Daily

01/31/2012 House Second Reading Passed

02/01/2012 House Third Reading Passed

02/01/2012 Introduced In Senate - Assigned to State, Veterans & Military Affairs

02/29/2012 Senate Committee on State, Veterans & Military Affairs Witness Testimony and/or Committee Discussion Only

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/6BF34390A51BD98D87257981007DC090?Open&file=HB1159\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/6BF34390A51BD98D87257981007DC090?Open&file=HB1159_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/6BF34390A51BD98D87257981007DC090?Open&file=1159\\_ren.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/6BF34390A51BD98D87257981007DC090?Open&file=1159_ren.pdf)

**HB 12-1161: Looper (King K.)**

**CONCERNING SCIENTIFIC REVIEW OF WATER QUALITY RULES REGULATING NUTRIENTS.**

The bill establishes a nutrients scientific advisory board, appointed by leadership of the general assembly, to review proposed numeric water quality nutrient standards regulating nitrogen and phosphorus to determine how the proposed rules comply with an executive order; reflect active stakeholder participation; fully consider a cost-benefit study; are structured to avoid unnecessary regulation and minimize the fiscal impact to state agencies and local governments; and are designed to address basin-specific conditions. The advisory board will deliver a report to the water quality control commission and the general assembly by February 1, 2013. The commission cannot adopt the proposed rule until the rule is approved by the general assembly acting by bill.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/20/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/6F619450AD9CF93287257981007F3AFA?Open&file=HB1161\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/6F619450AD9CF93287257981007F3AFA?Open&file=HB1161_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/6F619450AD9CF93287257981007F3AFA?Open&file=1161\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/6F619450AD9CF93287257981007F3AFA?Open&file=1161_01.pdf)

**HB 12-1172: Swalm, Conti (None)**

**CONCERNING THE RATES CHARGED TO CONSUMERS FOR ELECTRICITY, AND, IN CONNECTION THEREWITH, PROHIBITING THE IMPUTATION OF CERTAIN COSTS ASSOCIATED WITH REDUCTIONS IN GREENHOUSE GAS EMISSIONS.**

The 2004 voter initiative known as "Amendment 37" committed Colorado to a policy of increasing the portion of the state's electricity generated from renewable sources. Subsequent legislation allows the Colorado public utilities commission (PUC) to impute the cost of *anticipated new environmental regulations, including a carbon tax*, imposed at the federal level when calculating an electric utility's investments and comparing the cost of maintaining existing infrastructure with the cost of replacing existing power plants with more energy-efficient power plants.

~~Section 1~~ of The bill conditions the PUC's imputation of the carbon tax on the actual ~~adoption~~ *existence*, rather than the likelihood, of a ~~carbon tax~~ *new environmental regulations* as part of federal law. ~~Section 2~~ prohibits an investor-owned electric utility from charging residential customers tiered rates according to their monthly consumption.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 01/20/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/15/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to House Committee of the Whole  
02/20/2012 House Second Reading Laid Over Daily  
02/27/2012 House Second Reading Passed with Amendments  
02/28/2012 House Third Reading Laid Over Daily  
02/29/2012 House Third Reading Passed  
03/07/2012 Introduced In Senate - Assigned to State, Veterans & Military Affairs

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1E285B9A6DB5064087257981007DC045?Open&file=HB1172\\_r1.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1E285B9A6DB5064087257981007DC045?Open&file=HB1172_r1.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1E285B9A6DB5064087257981007DC045?Open&file=1172\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1E285B9A6DB5064087257981007DC045?Open&file=1172_01.pdf)

**HB 12-1175: Stephens (Cadman)**

**CONCERNING THE ENCOURAGEMENT OF A STATE AGENCY TO PURSUE COLORADO-SPECIFIC SOLUTIONS IN LIEU OF FEDERAL REGULATION WHENEVER POSSIBLE, AND, IN CONNECTION THEREWITH, REQUIRING A STATE AGENCY TO REPORT ANNUALLY REGARDING OPPORTUNITIES FOR WAIVER FROM NEWLY ADOPTED FEDERAL REGULATIONS.**

For newly adopted federal laws, rules, and regulations (regulations) that expressly or implicitly allow a state to opt out of the regulations, the bill encourages a Colorado state agency (agency) that is potentially impacted by, subject to, or charged with administering the rule to seek such waiver. An agency is required to report annually to the general assembly regarding the agency's opportunities for and attempts at obtaining such waivers.

**Committee Assignments:** Economic and Business Development

**Status:** 01/20/2012 Introduced In House - Assigned to Economic and Business Development  
02/28/2012 House Committee on Economic and Business Development Refer Unamended to House  
Committee of the Whole  
03/02/2012 House Second Reading Laid Over Daily  
03/05/2012 House Second Reading Special Order – Passed  
03/06/2012 House Third Reading Laid Over Daily

**CCA Position: Monitor**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/247DF1412E7E2F7F87257981007F4FAD?Open&file=HB1175\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/247DF1412E7E2F7F87257981007F4FAD?Open&file=HB1175_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/247DF1412E7E2F7F87257981007F4FAD?Open&file=1175\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/247DF1412E7E2F7F87257981007F4FAD?Open&file=1175_01.pdf)

**HB 12-1255: Baumgardner, Acree, Becker, Brown, Conti, Ferrandino, Holbert, Joshi, Kerr J., Looper, McNulty, Murray, Priola, Scott (None)**

**CONCERNING ENDING THE CONTINUOUS APPROPRIATION OF STATE MONEYS.**

Beginning on July 1, 2012, the bill ends all continuous appropriations from the general fund or any cash fund to any state agency. The general assembly is required to annually appropriate the moneys that were previously continuously appropriated, and it is prohibited from continuously appropriating moneys to a state agency in the future.

**Committee Assignments:** Appropriations

**Status:** 02/07/2012 Introduced In House - Assigned to Appropriations

**CCA Position: Oppose**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/4921B55C2232766687257981007F0C5F?Open&file=HB1255\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/4921B55C2232766687257981007F0C5F?Open&file=HB1255_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/4921B55C2232766687257981007F0C5F?Open&file=1255\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/4921B55C2232766687257981007F0C5F?Open&file=1255_01.pdf)

**HB 12-1278: Fischer (None)**

**CONCERNING GROUNDWATER IN THE SOUTH PLATTE RIVER BASIN.**

The bill authorizes a study of the interaction between the South Platte alluvial aquifer and surface streams. It also authorizes the state engineer to respond to damaging conditions caused by high groundwater levels in water division 1 in the following manners:

- Approve temporary substitute water supply plans that do not require the replacement of all out-of-priority depletions when deemed necessary to remedy adverse conditions caused by high groundwater levels;

- Permit out-of-priority well pumping without requiring replacement of depletions;
- Request that the water judge for water division 1 use the retained jurisdiction provisions to reconsider augmentation plan decrees based on information obtained from the authorized study; and
- Withhold approval for new recharge projects until completion of the authorized study.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 02/07/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources  
02/20/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations

**CCA Position: Oppose**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/305CE972C8F2F51D8725798400602A21?Open&file=HB1278\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/305CE972C8F2F51D8725798400602A21?Open&file=HB1278_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/305CE972C8F2F51D8725798400602A21?Open&file=1278\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/305CE972C8F2F51D8725798400602A21?Open&file=1278_01.pdf)

**HB 12-1290: Brown (Tochtrop)**

**CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE COLORADO FOR HEALTHY LANDSCAPES FUND THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.**

The bill creates the Colorado for Healthy Landscapes fund (fund) in the state treasury. For the 5 income tax years following the year in which the executive director of the department of revenue certifies to the revisor of statutes that there is a space on the income tax return form and that the Colorado for Healthy Landscapes fund voluntary contribution is next in the queue, the bill requires a voluntary contribution designation line for the fund to appear on state individual income tax return forms.

The department of revenue (department) must determine annually the total amount designated to the fund and report that amount to the state treasurer and the general assembly. The state treasurer shall credit that amount to the fund.

Finally, the general assembly must appropriate annually from the fund to the department its costs of administering contributions to the fund. All moneys remaining in the fund at the end of a fiscal year shall be transferred to the Colorado Weed Management Association, the nonprofit organization that acts as fiscal manager for Colorado for Healthy Landscapes.

**Committee Assignments:** Finance

**Status:** 02/07/2012 Introduced In House - Assigned to Finance + Appropriations  
02/15/2012 House Committee on Finance Refer Unamended to Appropriations  
03/02/2012 House Committee on Appropriations Refer Unamended to House Committee of the Whole  
03/05/2012 House Second Reading Special Order – Passed  
03/06/2012 House Third Reading Passed

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/D021DC4C302C4D318725798900570267?Open&file=HB1290\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/D021DC4C302C4D318725798900570267?Open&file=HB1290_00.pdf)

*BILL LINK:*

[http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/D021DC4C302C4D318725798900570267?Open&file=1290\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/D021DC4C302C4D318725798900570267?Open&file=1290_01.pdf)

**HB 12-1309: Swalm and Looper, Holbert, Barker, Coram, Joshi, Kerr J., Murray (King K.)**

**CONCERNING THE REQUIREMENT THAT ALL EMPLOYERS IN THE STATE VERIFY THE WORK ELIGIBILITY STATUS OF NEW EMPLOYEES THROUGH THE FEDERAL ELECTRONIC VERIFICATION PROGRAM.**

Under current law, employers are required to examine, and retain records of examining, the legal work status of new employees. The bill enacts the "Colorado Mandatory E-verify Act", which requires all employers in the state, by January 1, 2013, to instead participate in the federal electronic verification program (e-verify program) for purposes of verifying the work eligibility status of all new employees hired by an employer. Employers are subject to fines of up to \$5,000 for a first offense and up to \$25,000 for a second offense for failing to participate in the e-verify program. For subsequent offenses, an employer is subject to a fine of up to \$25,000 and a 6-month suspension of the employer's business licenses.

The department of labor and employment (department) must notify employers via quarterly electronic publications and post a notice on its web site explaining the requirements of the act to employers. Additionally, the bill requires the secretary of state, in consultation with the department, to include information about the requirements of the act on its web site.

**Committee Assignments:** Economic and Business Development

**Status:** 02/20/2012 Introduced In House - Assigned to Economic and Business Development

**CCA Position:** Oppose

*FISCAL NOTES:*

*BILL LINK:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5B1BFA324B540F5D87257981007CC38F?Open&file=1309\\_01.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/5B1BFA324B540F5D87257981007CC38F?Open&file=1309_01.pdf)

**HB 12-1314: Sonnenberg (None)**

**CONCERNING AN EXCEPTION TO THE REQUIREMENT TO FILE AN OIL AND GAS SEVERANCE TAX RETURN FOR A PERSON WHO HAS LESS THAN A CERTAIN AMOUNT WITHHELD.**

Section 1 of the bill creates an exception to the requirement that everyone subject to the severance tax on oil and gas must file a return with the department of revenue. This exception applies to any person who has less than \$250 withheld by all unit operators and first purchasers in a taxable year.

Under current law, if any person fails to file a report related to the severance tax, the executive director of the department of revenue may estimate the amount of tax, interest, and penalties due and mail the estimate to the last-known address of the person. If, within 10 days of receiving the estimate, the person fails to file a correct report and payment, the estimate becomes the amount payable to the state. **Section 2** of the bill prohibits

the executive director from sending the estimate to a person who is not required to file a return pursuant to section 1 of the bill.

**Committee Assignments:** Agriculture, Livestock, & Natural Resources

**Status:** 02/20/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1BFB83136D95A44F87257981007F35BE?Open&file=HB1314\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1BFB83136D95A44F87257981007F35BE?Open&file=HB1314_00.pdf)

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[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1BFB83136D95A44F87257981007F35BE?Open&file=1314\\_01.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/1BFB83136D95A44F87257981007F35BE?Open&file=1314_01.pdf)

**HB 12-1317: Sonnenberg (Schwartz)**

**CONCERNING THE CREATION OF THE PARKS AND WILDLIFE COMMISSION TO REPLACE THE PARKS AND WILDLIFE BOARD IN THE DEPARTMENT OF NATURAL RESOURCES, AND, IN CONNECTION THEREWITH, DESCRIBING THE COMPOSITION AND TERMS OF THE COMMISSION.**

Senate Bill 11-208 combined the wildlife entities and parks and outdoor recreation entities and functions under the department of natural resources. In so doing, the existing wildlife commission was merged with the existing board of parks and outdoor recreation to form the 16-member parks and wildlife board (board).

Effective July 1, 2012, the bill replaces the board with the new parks and wildlife commission (commission). The commission is comprised of 11 voting members and 2 nonvoting ex officio members (the executive director of the department and the commissioner of the department of agriculture). The voting members are appointed by the governor with the consent of the senate and must represent various geographical regions in the state and certain areas of interest or knowledge. Initial term lengths are staggered to reduce the impact to the board that results from member turnover.

The commission is required to submit a 5-year strategic plan to specified committees of reference. Components of the plan are specified.

**Status:** 02/23/2012 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources

03/07/2012 House Committee on Agriculture, Livestock, & Natural Resources Refer Amended to Appropriations

**CCA Position: Support**

*FISCAL NOTES:*

[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/56842A81D4864E988725798C0000B907?Open&file=HB1317\\_00.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/56842A81D4864E988725798C0000B907?Open&file=HB1317_00.pdf)

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[http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/56842A81D4864E988725798C0000B907?Open&file=1317\\_01.pdf](http://www.leg.state.co.us/clics/clics2012a/csl.nsf/fsbillcont3/56842A81D4864E988725798C0000B907?Open&file=1317_01.pdf)