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Colorado Association of Home Builders 2023 End of Session Report

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Summary

The First Regular Session of the 74th General Assembly began Monday, January 9th, just two short months after the 2022 election. The 2022 election changed the make-up of the legislature dramatically. Pundits expected the Republicans to have a good election year, given the historical trend that the party in power of the White House generally loses in off-year elections. Perhaps that played out in a few states, but nationally, and certainly in Colorado, Democrats had a much better than expected showing. Not only did Democrats win all the competitive seats, but they also flipped historically Republican seats.

With this outcome the Democrats started this session with historic majorities in both chambers. The House Democrats have a super-majority at 46 Democrats to 19 Republicans. The Senate Democrats are just shy of a super-majority with 23 Democrats to 12 Republicans.

In addition to all the new members and the historic majorities and minorities, there is all brand-new leadership in the House. Representative Julie McCluskie (D-Dillon) was elected as Speaker of the House and Representative Monica Duran (D-Wheat Ridge) was elected as Majority Leader. Representative Chris deGruy Kennedy (D-Lakewood) was named Speaker Pro Tem. Republican leadership in the House is also new. With the sudden and tragic passing of Minority Leader Hugh McKean (R-Loveland) in October of 2022, the Republicans needed new leadership. Representative Mike Lynch (R-Wellington) and new-comer, Representative Rose Pugliese (R-Colorado Springs) were elected as Minority Leader and Assistant Minority Leader, respectively.

The Senate Leadership had more continuity. As was the case last year, the Senate was led by President Steve Fenberg (D-Boulder) and Majority Leader Dominick Moreno (D-Commerce City). The Republican minority did have a change with the caucus now being led by Paul Lundeen (R-Monument) as Minority Leader and Bob Gardner (R-Colorado Springs) as Assistant Minority Leader.

The session was also one of the more intense and contentious in recent years. The Republicans, particularly in the House, were quite effective at delay tactics such as reading bills at length and talking for hours on end. This resulted in Democratic leadership invoking specific house rules that limit debate to specific time frames, but no less than one hour. These rules are proper rules of each chamber but are rarely used. The delay tactics and limiting debate created a tense session, coming to a head on the last day where rules to limit debate and ending debate were invoked in the House. The House Republicans walked out of the chamber in protest with mere hours left until Sine Die. Because the Democrats hold a super majority in the House, they achieve a quorum amongst themselves and gaveled out without a single Republican in the chamber.

Despite having many freshman legislators, this General Assembly introduced over 600 bills and was not shy about tackling some large and aggressive policies. Within the 120 days of the legislative session, members considered bills to address the housing crisis in the state, environmental policy,

health and property insurance issues, intoxicating substance regulation, firearm regulations, to name just a few.

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Affordable Housing

Colorado's real estate market is one of the hottest in the entire country. There is simply not enough supply to meet the demand and Colorado's population has been growing steadily for years. Housing, land use, and landlord/tenant issues turned into one of the most debated topics this legislative session.

Governor Polis focused on this issue with his signature piece of proactive legislation. The Administration had been working on the policy since the beginning of session, but the bill was not introduced until the middle of session. SB23-213 is sponsored by Senator Dominick Moreno (D-Commerce City) and Representatives Steven Woodrow (D-Denver) and Iman Jodeh (D-Aurora). The bill was over 100 pages long and attempted to make significant changes to local land use. The bill

focused on creating more dense housing in targeted areas of the state. It required multi-family housing in residential zoning, allowed accessory dwelling units (a.k.a “granny flats”), and focused on denser housing around transit-oriented developments. The overall goal of the bill was to remove “red tape” and barriers set up at the local level to build denser housing or prohibit restrictions on housing that would limit density.

Even prior to introduction, opposition to the bill started lining up. Currently, all zoning decisions are made at the local level by cities and counties. Land use decisions are all local and that principle is enshrined in the constitution with home rule. Opposition was led by the cities, particularly the Colorado Municipal League (CML). The proponents argued that the housing crisis is a matter of statewide concern and that land use decisions are best made at the local level. The charge against the bill in the Senate was led by Senators Rachel Zenzinger (D-Arvada) and Barbara Kirkmeyer (R-Broomfield). Senator Zenzinger is the chair of the Joint Budget Committee and also sits on Appropriations committee. She was a key vote to get the bill out of the Appropriations committee, and so she forced the bill to be heavily amended to take out all the mandates on local governments before she would vote yes on the bill.

SB 213 was significantly pared back in the Senate, but changes happened in the House committee reinstating many of the provisions that CML had fought against. The changes from this committee not only brought CML back to an oppose position, but also brought in other groups to oppose, including counties. Additionally, more Representatives and Senators started expressing their opposition to the bill.

In the end, this incredibly large policy started to sink under its own weight, and the bill was never brought back up on the Senate floor for concurrence of House amendments to Senate bills, and the bill died on the calendar on the last day of session.

In addition to the large land use bill, there were multiple bills dealing with landlords and tenants. HB 1171 was one of the more controversial bills debated. Just Cause Requirement Eviction of Residential Tenant prohibited a landlord from removing tenants only when just cause for that eviction exists. The definition of just cause included when a tenant failed to pay rent, the tenant commits a substantial violation and does not cure that violation, the tenant refuses to allow a landlord to enter the premises after written notice, and the tenant refuses to sign a new rental agreement with the same terms. The bill also dictated that the landlord provides relocation assistance to tenants in the form of two months’ rent to certain individuals. The bill was amended slightly to allow for a landlord the ability to not renew a lease if the owner puts the property up for sale in the House, but languished until the final days of session in the Senate. The day before session ended, the bill failed on the Senate floor by not being brought up for a vote, much to the displeasure of the progressive members of the Democratic caucus in both chambers.

Another bill that failed to make it across the finish line was HB 1115. Sponsored by Representatives Javier Mabrey (D-Denver) and Elizabeth Velasco (D-Glenwood Springs) and Senator Robert Rodriguez

(D-Denver) the bill removed the statewide prohibition on local government ordinances and regulations on rent control. The bill was killed in the Senate Local Government and Housing committee. If it had not been killed, it would have faced a potential veto, as Governor Polis has made it known he does not support rent control policies.

Other bills relative to rental properties did pass. Those included HB 1120, sponsored by Representatives Junie Joseph (D-Boulder) and David Ortiz (D-Littleton) and Senators Rhonda Fields (D-Aurora) and Faith Winter (D-Westminster). This bill requires mediation in eviction proceedings. Also, SB 184 passed. This bill prohibits landlords' use of certain financial information when considering an application and limits security deposits. Both bills are awaiting Governor's action.

Representatives Andrew Boesenecker (D-Fort Collins) and Emily Sirota (D-Denver) and Senators Faith Winter (D-Westminster) and Sonja Jaquez Lewis (D-Longmont) sponsored another large bill that evolved through the process – HB 1190. The bill required that local governments have a first right of refusal for multi-family properties. When a multi-family property gets an offer to purchase, the local government would then be able to match or exceed the purchase terms and have the opportunity to purchase the property instead in order to use the property for affordable housing. The proponents argued that this bill would help to alleviate the housing crisis by making more properties available for affordable housing. Opponents argued that this ability of local governments would severely undercut a property's marketability. The bill was opposed by a variety of groups who amended the bill significantly during the process. In the final approved form, the bill still allows for a first right of refusal, but limits the properties available for this right and sets out other requirements on the terms and conditions. The bill passed in the final days and is awaiting the Governor's signature.

Finally, HB 1255 was another bill that will have an impact on the availability of housing. Sponsored by Representatives William Lindstedt (D-Broomfield) and Ruby Dickson (D-Centennial) and Senator Julie Gonzales (D-Denver), the bill prohibits local governments from enacting growth limits at the local level. Proponents argue that this will allow more housing to be built in areas that need it the most. Opponents, really limited to cities, argued that this bill overrides local control. Despite the opposition, the bill passed and is awaiting Governor's action.

Property Tax

As noted, Colorado's housing market is exploding. With that, property values have also increased exponentially, anywhere from 10 percent to 50 percent, in the past two years. Coloradans have begun receiving their assessments from their local assessor's offices showing those increased values, and with it, increased property tax liability. Many policy makers are concerned that these increased property taxes will price Coloradans out of their homes. Leadership, along with the Governor, proposed three separate bills in the final week as a solution.

SB 303 and SB 304 are companion measures introduced seven days before the end of session on May 1st with their first committee hearing happening less than 24 hours later. SB 303 is sponsored by

Senate President Steve Fenberg (D-Boulder) and Senator Chris Hansen (D-Denver) and Representatives Chris DeGruy Kennedy (D-Lakewood) and Mike Weissman (D-Aurora) and refers a measure to the voters imposing a local government property tax limit and changes to assessments rates for various properties. The bill also allows the state to retain a portion of the TABOR surplus to backfill local governments for the loss of revenue due to the reduction in property taxes.

SB 304, with the same Senate sponsors but House sponsors being Representatives Bob Marshall (D-Highlands Ranch) and Shannon Bird (D-Westminster) directs assessors to consider specific factors when calculating property values including current use, existing zoning or land use, environmental regulations and restrictions, multi-year leases affecting the use or income of the property, easements and reservations of record, and covenants, conditions, and restrictions of record.

SB 303 was more controversial than SB 304, particularly with last minute changes on third reading on the House floor on the evening of Sine Die. Relative to SB 303, the Republicans homed in on the fact that TABOR refunds will be used to pay for the property tax relief. Many progressives also have concerns about the regressive nature of that provision. That resulted in the introduction of HB 1311 three days before the very end of session, the latest a bill can be introduced and still pass.

HB 1311 was sponsored by the same sponsors as SB 303 and had its first hearing before the bill was even up on the website for review. Upon the approval of the ballot measure from SB 303, the bill would direct that the TABOR refunds, which are usually distributed through a tiered system, would instead be paid in equal installments to all taxpayers.

All three of these bills passed on the last day of the session and awaits the Governor's signature.

State Budget

Despite stubbornly high inflation, the state budget is enjoying healthy state revenues, resulting in the 2023-2024 Long Bill containing \$38.5 billion in spending authority. This amount is 8.9% more than last year's budget. This year's Joint Budget Committee (JBC) was almost entirely brand new, with the only seasoned member being Chair Rachel Zenzinger (D-Arveda). Senator Zenzinger is back on the JBC, having been the Chair of Education the prior two years. Other members included Senators Jeff Bridges (D-Greenwood Village) and Barbara Kirkmeyer (R-Broomfield) and Representatives Shannon Bird as vice-chair (D-Westminster), Emily Sirota (D-Denver), and Rod Bockenfeld (R-Watkins). This JBC worked well together and crafted a budget that the majority of the Legislature could approve, including all six JBC members.

Relative to Common Policy, a 5.0 percent across-the-board salary increase for state employees, plus additional funding to ensure that all employees are paid a minimum of \$15.75 per hour or the minimum salary based on the adjusted salary range for their position, and a 3.0 percent across-the-board increase in community provider rates was also included in the Long Bill.

The largest share of the budget went to the Department of Healthcare Policy and Financing, specifically for Medicaid at 36.2 percent for total funds. However, Education receives 32.4 percent of the General Fund. The federal enhanced match that was in place due to COVID was expected to expire in 2022-23 was extended and will end the last quarter of December 2023. The federal enhanced match rate is currently at 56.2 and will be reduced each quarter until December 2023. Colorado match rate is normally 50/50. This unexpected extension resulted in one-time General Fund that would normally be used as match in the Medicaid program instead be made available for other budget priorities. There was also a significant amount set aside for workforce, the property tax bills, economic development initiatives, and wildfire mitigation. The Long Bill maintains a 15% reserve.

In addition to the state budget, this year's School Finance Act (SB 287) dedicated a historic amount to funding public schools. The budget stabilization factor (BSF) has existed since 2009. The bill buys down the BSF by \$180 million, with a commitment to fully funding the BSF next year. With this buy down there is a balance of \$141.2 million in the BSF. The bill increases by 8 percent the per pupil funding to \$8,076.41. In addition to the increase in funding, the bill contains one-time funding of \$30 million for rural schools and holds the at-risk amount flat, until more data can be collected on how to allocate funding in the new way as dictated last year.

Finally, the bill creates a Task Force to look at changes to the funding formula. Just prior to introduction of the School Finance Act, Speaker McCluskie floated an idea to stakeholders to reduce the cost of living factor by 3 percent in order to create an ongoing rural factor, so that rural schools would have a stable source of funding. However, that discussion happened too late in the session for all districts to fully understand and prepare for a reduction in the cost of living factor, so this idea was turned over to the task force for discussion in the interim.

SB 099 increases the required annual appropriation to the Department of Education by an additional \$40,203,671 to fund children who have one or more disabilities and receive special education services or exceptional children in the gifted and talented programs.

Environment and Energy

Environmental interests were active once again this year, bringing multiple bills with a focus on the environment. Rising utility rates also caught the attention of state lawmakers. In response to consumer outrage about rising rates, the Legislature created the Joint Select Committee on Rising Utility Rates. The charge of the select committee was to investigate the root causes of utility rate increases and consider policy solutions. The committee met three times and heard from utilities, environmental advocates, and the relevant regulatory agencies.

SB 291 was born from the select committee. Senate President Fenberg and Senator Lisa Cutter (D-Littleton) and Representatives Chris deGruy Kennedy (D-Lakewood) and Matthew Martinez (D-Monte Vista) sponsored this bill titled related to utility regulation. The bill made a variety of changes to how utility rates are set and how costs are recovered from consumers. It directed the Public Utilities

Commission (PUC) to adopt rules on a variety of areas, including limiting the expenses utilities can recover from ratepayers, and requiring a rate trend report from utilities. The bill also requires gas utilities file a gas price risk management plan with the PUC, requires financial mechanisms to incentivize electricity, and prohibits incentives for gas line extensions.

The bill was amended to make some concessions to utilities, but many utilities and other stakeholders remained opposed, while the bill was supported by environmental groups. The bill moved quickly through the process, passed, and awaits the Governor's signature.

Sponsored by Representatives Jennifer Bacon (D-Denver) and Jenny Willford (D-Northglenn) and Senators Faith Winter (D-Westminster) and Julie Gonzales (D-Denver), HB 1294, in its introduced form, broadened the authority of the Air Quality Control Commission by allowing it to adopt rules relative to indirect sources that are more stringent than federal law, created new electrification requirements, new emissions standards for stationary engines used in oil and gas operations, and regulations around construction permits. The bill also made changes to the Colorado Oil and Gas Conservation Commission purview over pollution control measures. The bill immediately received opposition from a variety of different stakeholders. By the end of session, the bill was significantly amended to have fewer requirements of the regulatory bodies and created an interim committee on Ozone Air Quality. The bill is headed to the Governor's desk.

A priority bill of the Colorado Energy Office, HB 1281 focused on clean hydrogen. The bill defined clean hydrogen, requires the PUC to initiate investigatory proceedings to consider issues around the production of clean energy, and makes various other changes to the use of clean hydrogen projects. The bill passed in the final days of the session.

Criminal Justice

While there were not as many bills this session relative to criminal justice as last session, there are two worth mentioning that consumed a lot of time on the legislative clock in both chambers.

HB 1249 was the 2023 attempt at a similar bill from last year that prohibited arresting and placing in the juvenile justice system youths aged from 10 to 12 years old (anyone under 10 is already prohibited from entering the juvenile justice system). Sponsored by Representatives Serena Gonzales-Gutierrez (D-Denver) and Ryan Armagost (R-Berthoud) and Senators James Coleman (D-Denver) and Cleave Simpson (R-Alamosa), this year's bill took a different approach. The bill still prohibited the arrest of youth aged 10 to 12 years old, but it also directed counties to create collaborative management programs who would then be responsible for providing services to these children. The bill also created liability for parents of those children. County human services led a strong opposition to the bill. Over 100 amendments were drafted for the bill that ran in committee and on the floor. In the end, the bill was dramatically changed to allow for grants to counties for the collaborative management programs. The bill passed in the final days of the session.

Separate, but related, SB 189 was a sunset bill that continued the Colorado Commission on Juvenile Justice (CCJJ). Sponsored by Senators Julie Gonzales (D-Denver) and Bob Gardner (R-Colorado Springs) and Representatives Serena Gonzales-Gutierrez and Mike Weissman (D-Aurora), sunset bills are generally non-controversial. In this case, it was relevant to the discussion on HB 1249 because many of the opponents believed that the policy discussion regarding not arresting youths aged 10 to 12 years old should run through the CCJJ process. Multiple legislators in the progressive wing of the Democratic caucus argued that the CCJJ should be allowed to sunset and that it was never intended to be a permanent commission. Prior to the bill leaving the Senate chamber Senator Gonzales removed her name as a prime co-sponsor and the bill was postponed indefinitely in House Judiciary committee.

Insurance

As usual, the insurance industry was the target of multiple bills this session, both in property and casualty and in health.

On the property and casualty front there were a couple of bills that came in response to last year's Marshall Fire, which burned hundreds of homes in Superior and Louisville in December of 2022. First was HB 1174, which specified which factors insurers must consider when determining replacement value and replacements costs for homeowner's insurance policies. The bill also required an independent third-party entity prepare an annual report on the cost of reconstructing homes to inform policy terms. Finally, the bill extended the notification timeline of an insurer informing an insured of their policy cancellation or non-renewal from 30 days to 60 days.

In addition to HB 1174, the Division of Insurance advocated for HB 1288. Sponsored by Speaker Julie McCluskie (D-Dillon) and Judy Amabile (D-Boulder) and Senator Dylan Roberts (D-Eagle), this bill created a statewide plan that will offer property and casualty insurance coverage to those who cannot access any other coverage. Labeled the FAIR (Fair Access to insurance Requirements) Plan Association, this non-profit, unincorporated public entity consists of all companies that offer or sell property insurance in the state. The Plan will offer policies to provide coverage that may not otherwise be available. Member insureds will all share in the expenses, income, and losses evenly. While these policies may not be low-cost, they will allow more access to individuals who cannot access insurance for their properties.

There were also multiple bills in the health insurance market. The Division of Insurance brought two clean-up bills to their signature pieces of legislation from last year – the Colorado Option and the Prescription Drug Affordability Board (PDAB). HB 1224 was sponsored by Representatives Kyle Brown (D-Louisville) and Iman Jodeh (D-Aurora) and Senator Dylan Roberts (D-Eagle) and made changes to the Colorado Option statute. HB 1225, sponsored by Representatives Chris deGruy Kennedy (D-Lakewood) and Ruby Dickson (D-Centennial) and Senators Sonya Jaquez Lewis (D-Longmont) and Janet Buckner (D-Aurora), made changes to the PDAB statutes. The Commissioner explained he needed these bills to implement the bills as intended, and they were intended to be

clean-up tweaks to the statutes. Other stakeholders, particularly on HB 1225, complained that these changes went beyond clean-up measures and instead struck language that was part of compromises agreed to during the discussions last year.

Finally, the Commissioner of Insurance brought another bill at the end of session around the Life and Health Insurance Protection Association Act (Guaranty Association). The Guaranty Association's purpose is to pay for health insurance claims if an insurer goes insolvent. A model act was created on this topic and has been adopted by 36 states. In Colorado, HMOs have not been required to be a part of the Guaranty Association. The proposal from the Commissioner, in the form of HB 1303, does include HMOs. This sparked intense opposition from Kaiser Permanente, who in turn, mobilized SEIU to oppose as well. In order to get the bill passed, the bill differs from the model act and does include HMOs in the Association, but allows them to pay less than other health insurers.

All of the above bills are awaiting the Governor's signature.

Guns

Firearm regulation was a high-profile priority for Democrats this session. The country continues to find itself grappling with acts of violence. Democratic leadership brought forth many bills this session to try and address this problem. Republicans wasted as much time as they could on these bills as they moved through the process.

SB 168 repeals the limitations on bringing suits against firearm manufacturers and allows claims to be brought for damages. SB 169 increases the minimum age to purchase a firearm from 18 to 21 years of age, with certain exceptions. SB 170 expanded the current red flag statute and added licensed medical care providers, licensed mental health-care providers, licensed educators, and district attorneys to the list of individuals who can petition the court for an extreme risk protection order. Finally, HB 1219 established a three-day waiting period before a firearm seller can deliver a weapon after purchase. All four of these bills have been signed into law.

One other firearm bill that garnered plenty of attention was HB 1230. This bill was not included in the official package of gun bills of Democratic leadership. Sponsored by Representative Elisabeth Epps (D-Denver) and Senator Rhonda Fields (D-Aurora), this bill prohibited the manufacture, import, purchase, sale, and transfer of an assault weapon. The bill broadly defined assault weapon to go well beyond guns such as AR-15s and essentially included any weapon with a clip. The bill failed to garner broad support and was killed in its first committee hearing.

Intoxicating Substances

This session the Legislature tackled the regulation of certain intoxicating substances – psilocybin/psilocyn and intoxicating hemp.

Last election voters in Colorado approved Proposition 122, which legalized the use of “magic mushrooms”. The measure allowed for the use of psilocybin or psilocyn, the intoxicating product in “magic mushrooms” at state-regulated centers under the supervision of licensed facilitators. SB 290 attempted to put in place state regulations on this substance and implement Proposition 122. The bill created a variety of regulatory structures in state law including giving DORA regulatory authority for the manufacture, cultivation, testing, storage, transfer, transport, delivery, sale, facilitators, and purchase of natural psychedelics. It creates the Natural Medicine Board in DORA to advise on regulations, review and evaluate research, and make recommendations to the General Assembly. The bill also grants additional regulatory authority to the Department of Public Health and Environment on testing and certification, and the Department of Revenue on licensing and taxation. SB 290 has been sent to the Governor for signature.

SB 271 was introduced to regulate intoxicating hemp. The federal farm bill allowed for the production of products from hemp. This has resulted in products that have been concentrated and derived from hemp that can be as intoxicating as regulated marijuana. SB 271 resulted from a task force to study how to regulate these products. The introduced version of the bill closely resembled the task force recommendations and defined an intoxicating product as containing more than 2.5mg of THC per serving and a CBD to THC ratio of greater than or equal to 15 to 1. The bill then placed regulations on allowable products. It also allowed for “safe harbor” of manufactures to create intoxicating products here in Colorado and then ship them out of state for sale. Many stakeholders engaged on this bill through the process and attempted to make the regulations more stringent. The bill ended up stronger than its introduced form with a lower THC limit for intoxicating products, age restriction, packaging restrictions, and more guidance to regulatory agencies for further rule making. The bill passed on the final evening of session.

Bills of Interest to the Colorado Association of Home Builders

In addition to the bills discussed in the Affordable Housing and Property Tax sections of this report, CAHB engaged on multiple other bills.

HB 1192 is at the top of that list. Sponsored by Representative Mike Weissman (D-Aurora) and Senators Julie Gonzales (D-Denver) and Robert Rodriguez (D-Denver), the bill was being brought by the Office of the Attorney General and was intended to be a stakeholder-driven and negotiated bill on consumer protection. Representative Weissman included another section into the bill, Section 1, that applied construction defects to single family home construction. We worked aggressively with other stakeholders to try and remove Section 1 of the bill against heavy opposition from the sponsors and proponents of that language. Thanks to Senator Roberts’ strong opposition to the section, it was finally removed near the end of session in committee and the bill moved forward without the problematic language.

HB 1233 is another bill that CAHB worked hard to amend. This bill is the offspring of last year's HB22-1218, which dealt with electric vehicle chargers. CAHB advocated for a veto on HB22-1218 and the Governor did veto the bill, but with a note to bring another bill in the 2023 session with more flexibility. The Colorado Energy Office (CEO) brought HB 1233 in response. Sponsored by Representatives Alex Valdez (D-Denver) and Tisha Mauro (D-Pueblo) and Senators Faith Winter (D-Westminster) and Kevin Priola (D-Henderson), the bill focused broadly on parking and on the ability for EV spaces to be incorporated into broader parking requirements. CAHB's concern centered specifically around Section 2 of the bill, which tied the timelines for adoption of the EV charging components of the new statewide green energy building codes to when the State Electrical Board adopted the new NEC. This effectively sped up the timeline for adoption of the statewide EV codes by two years, instead of allowing local governments the on-ramp they need to update their local codes. Not only does this cost builders more when they must go and make changes to their site development plans, but it is also an act of bad faith on behalf of the CEO because of the negotiations that happened during the 2022 session on the statewide energy codes. CAHB, in partnership with the Colorado Municipal League, tried to strike Section 2 of the bill entirely. We were ultimately unsuccessful, but thanks to the support and intense advocacy of Senator Byron Pelton (R-Sterling), an electrician himself, we were able to get some changes to move the control on adopting those codes back to the local governments. The bill passed and is awaiting the Governor's signature.

CAHB worked on another bill that was a spillover from a bill last year. As noted in the Insurance section of this report, wildfire preparedness was a priority of this Legislature. Senators Lisa Cutter (D-Littleton) and Tony Exum (D-Colorado Springs) and Representatives Meg Froelich (D-Englewood) and Elizabeth Velasco (D-Glenwood Springs) introduced SB 166, a bill to create a Board to develop a statewide wildfire code. This code would apply to buildings in the Wildfire Urban Interface (WUI), and the WUI would also be defined by the code board. CAHB worked to amend the bill to ensure that the board and the codes could function as best they could and to give guidance to the Board as they both define the WUI and develop the code. The Board does have to consider costs as they develop the code. The bill has been signed into law.

Finally, CAHB worked with Representative Marc Snyder to amend his HB 1075. In its introduced form, HB 1075 would have tied an evacuation and clearance modeling requirement to receiving a development permit. This caused CAHB concern because it could prevent developments from being built. Thankfully, Representative Snyder understood our concerns and amended his bill into a study.

Conclusion

The interim will likely be quieter than this past interim, given that there is no election this November in which members are running for their offices. It will be an opportunity for Leadership in both chambers and all caucuses to evaluate the lessons of this past session. Interim committees will also

continue to meet. Given the slower pace of a non-election year, this is a good opportunity to develop deeper relationships with policy makers and educate on important issue areas prior to the 2024 Session.