



# Fourteen for '14

The 2014 legislative session was productive, collegial and marked by bipartisan cooperation. An improving state economy made it possible to reinvest in public education and essential services, building a stronger future for our state. Here's a list of 14 bills I sponsored this year that I think will make a difference in the lives of Coloradans:

## 1. **The Long Bill, [HB 1336](#)**

As a leader on the Joint Budget Committee, the most important bill I carry each year is the annual state budget, known as the "Long Bill." Our constitution requires a balanced budget, passed each year in a single appropriations bill that funds the ongoing operation of state government. It cannot contain substantive law; only appropriations to all three branches of state government. This year's budget enjoyed strong bipartisan support in the Senate and made a number of key investments in Colorado's public schools, colleges and universities, as well as safety net services, economic development and environmental protection. Recovery from natural disasters such as wildfires and floods was also a priority, as was planning and preparation for the possibility of future emergencies.

## 2. **School Finance Act, [HB 1298](#)**

This year there were two school funding bills and I was one of the sponsors of HB 1298, which makes inflation increases required by the constitution, increases funding for English language acquisition by \$27 million, allows 5,000 more kids to be served in early childhood education programs next year, and improves the fairness of charter school funding. This omnibus bill contains numerous provisions to help our public schools meet expectations and overcome challenges so that kids in Colorado get a quality education.

## 3. **Marijuana Tax Revenues, [SB 215](#)**

This bill originated in the Joint Budget Committee and it establishes a policy framework for how marijuana revenues will be handled in our state budget. We've established a policy of spending the money a year in arrear, in part due to the difficulty in predicting revenue from the sale of a product that has never before been legal, and also due to uncertainty as to how long the federal government will allow this industry to exist in Colorado. This bill allocated \$24.4 million in new marijuana tax revenues to enforcement of industry regulations, law enforcement, youth prevention & education efforts and substance abuse treatment.

## 4. **Historic Preservation Tax Credit, [HB 1311](#)**

Known as the "Main Street Revitalization Act," this bill offers incentives to redevelop historic structures on the National Registry or certified as historic landmarks by local governments. This will infuse capital into old buildings on Main Streets in small towns across Colorado, creating jobs and rebuilding communities.

## 5. **Recall Election Procedures, [SB 158](#)**

We wrote a new chapter in Colorado history last year when two sitting state legislators were recalled from office. The process generated four separate lawsuits and revealed serious flaws in our laws that implement the constitutional right to initiate a recall election. SB 158 modernizes the laws outlining the procedure, ensuring that future recall elections will include mail balloting and greater opportunities for voter participation.

## 6. **Discrimination Protections for People with Disabilities, [SB 118](#)**

Colorado's civil rights laws pre-date the passage of Title VII and the Americans with Disabilities Act, and in some regards they haven't been updated since the passage of these landmark federal laws. SB 118 aligns our state laws with the ADA and strengthens protections for people with disabilities, including those that use service animals.

## 7. **Increase General Fund Reserves, [HB 1337](#)**

State law requires that a portion of the General Fund be held back in reserve. Often referred to as the "statutory reserve," this requirement was set at 4% of General Fund appropriations for many years, but during the economic recession it dipped as low as 2%. Last year we raised the required reserve to 5%, and this year we took another step further, requiring a 6.5% reserve of General Fund appropriations. This reserve is our savings account for rainy days, and it's now healthier than it's ever been. HB 1337 was sponsored by the JBC at the request of Gov. Hickenlooper.

## **8. Joint Tax Returns, [SB 19](#)**

Colorado's income tax laws are directly linked to the federal Internal Revenue Code. You take a number off your federal return and enter it on the top line of your state return. It's long been the policy of our state that married couples file their tax returns in the same manner at the state level as they do at the federal level. The passage of the Civil Unions law last year, combined with the US Supreme Court ruling overturning portions of the Defense of Marriage Act and the subsequent determination by the IRS that legally married same-sex couples should have the same tax filing choices as other married couples lead to a conflict in our laws. SB 19 reaffirmed our policy of requiring state income tax returns to be filed in the same manner as the federal return and removed contradictory language from the Civil Unions law.

## **9. Division of Motor Vehicles, [SB 194](#)**

A major budget initiative this year was an overhaul of the DMV. The JBC added additional staff to drivers' license offices and began a two-year upgrade to the computer systems that support the issuance of identity documents and the titling and registration of motor vehicles. SB 194 simplified the structure of cash funds and authorized future changes in the fees that support DMV operations. Once completed in 2016, these modernization investments are expected to drastically reduce wait times for customers and increase security and reliability of sensitive data systems.

## **10. Student Data Privacy Act, [HB 1294](#)**

Lots of data is collected on public school students. Education reforms have imposed strict accountability requirements and high-stakes testing. Information about a student's health, disabilities, test scores, languages spoken at home and disciplinary records are all kept for a variety of legitimate reasons. The privacy of this data, particularly in the age of cloud-based data storage, hackers and cyber-attacks has become an increasing concern. HB 1294 requires the Colorado Department of Education to establish rules for data privacy and cyber security, and to recommend best practices to local school districts. It won near-unanimous support.

## **11. Civil Action for Unlawful Termination of Pregnancy, [HB 1388](#)**

Last year I sponsored legislation that created a comprehensive scheme of criminal offenses related to the unlawful termination of pregnancy. This law was carefully crafted to avoid the "personhood" debate while ensuring justice for criminal acts that caused the loss of a pregnancy. HB 1388 is the civil liability counterpart to the criminal offenses, recognizing for the first time in Colorado the grounds for a lawsuit based upon the reckless, knowing or intentional acts of another person that results in loss of pregnancy. Situations in which this law will be used are relatively rare, but always tragic, and up until now they've escaped justice.

## **12. Financial Cooperatives for Marijuana Businesses, [HB 1398](#)**

This is the second time I've sponsored legislation to try to open banking services to legal marijuana businesses in our state. This time the bill passed thanks to the support of the Governor's office and the Commissioner of Financial Services. HB 1388 authorizes the creation of financial service co-ops specifically for marijuana and hemp businesses. Currently, federal laws and regulations make it nearly impossible for them to find a bank or credit union, resulting in most of these businesses operating on a cash-only basis. Lots of cash creates risks for public safety and makes it difficult for tax auditors and regulators to do their jobs. HB 1388 is a first step toward a solution. It's intended to force the issue with the federal government as we struggle to comply with the requirements and expectations they have announced for legal marijuana businesses.

## **13. Medical Marijuana Research Grants, [SB 155](#)**

This JBC bill authorizes the use of up to \$10 million from the medical marijuana patient registry fund for grants to support medical research into its effectiveness treating various diseases and conditions. The money is from fees paid by patients to register and get a "red card," and the state constitution dedicates these dollars to the medical marijuana program. The Department of Public Health & Environment waited too long to lower fees after the registry rapidly grew to over 100,000 patients. This research program spends down the excess fund balance that resulted.

## **14. Tax Expenditure Reporting, [HB 1018](#)**

Tax expenditures are provisions in the tax code that grant exemptions, deductions and tax credits for various purposes to differing sets of taxpayers. Some are broad exemptions, such as not charging state sales tax on the purchase of groceries or prescriptions, while others are quite narrow special interest tax breaks offered as incentives or giveaways. Some came about because they were good public policy, while others owe their existence to the work of good lobbyists. And our tax code is riddled with them. HB 1018 requires the Colorado Department of Revenue to publish a report every other year that details tax expenditures in state law, including who gets them and how much they cost. Bringing transparency to the tax code is always a good thing, but this report will be especially helpful in understanding the impact of proposed tax policy changes.