



Principles of Liberty Colorado
Weekly Report
April 30, 2018

HB18-1384 Study Health Care Coverage Options

Oppose

This bill would require the Department of Health Care Policy and Financing (HCPF), in conjunction with the Division of Insurance, to study three options for health care coverage: a Medicaid buy-in option, a public-private partnership option, and a community or regionally based cooperative health plan affiliated with a private carrier. The departments must report on the most feasible option based on affordability, administrative and financial burden to the state, ease of implementation, and likelihood of success. Because we need more state healthcare.

This legislation opposes the principles of:

Free Markets
Limited Government

HB18-1395 Colorado Youth Advisory Council Review Committee

Oppose

The Colorado Youth Advisory Council is comprised of 4 legislative members and 40 nonlegislative members who are between 14 and 19 years of age. The council meets 4 times each year to examine, evaluate, and discuss the issues, interests, and needs affecting Colorado youth. Each year, the council reports to legislative committees a summary of their work and recommendations. This bill would create the Colorado Youth Advisory Council Review Committee. The review committee may meet up to 3 times each interim and recommend up to 3 bills to the legislative council. The bill includes a General Fund appropriation of \$ 25,000 to the Youth Advisory Council Cash Fund and a General Fund appropriation of \$ 54,189 to the Legislative Department. Because we need more people proposing more government.

This legislation opposes the principles of:

Limited Government

HB18-1397 Landlord Tenant Warranty of Habitability

Oppose

Under current law, a landlord is deemed to warrant that a residential property is fit for human habitation as part of every rental agreement between a landlord and a tenant. This is referred to as a warranty of habitability. This bill would modify the conditions for a breach of the warranty, the method for notifying a landlord of problems with the premises, and time lines for the landlord to address defective conditions. The bill would also allow a tenant to deduct the cost to repair defective conditions caused by a breach of the warranty of habitability from subsequent rent payments under certain circumstances, permit a county court to provide injunctive relief for a breach of the warranty of habitability, and repeal the current law requirement that a tenant notify a local government prior to seeking an injunction. The bill would modify the current law prohibition on retaliation for a tenant's alleging a breach to specify damages and remove presumptions. Because we need more meddling in private, voluntary contractual relationships between landlords and tenants.

This legislation opposes the principles of:

Personal Responsibility
Free Markets
Limited Government

HB18-1399 Regulation of Surgical Smoke

Oppose

This bill would require licensed health facilities to adopt policies on preventing exposure to surgical smoke based on rules established by the Colorado Department of Public Health and Environment. It's ironic to us that the state thinks that only CDPHE, not surgeons/hospitals, can possibly figure

out what should be done about surgical smoke.

This legislation opposes the principles of:

Free Markets
Limited Government

HB18-1401 RTD Regional Transportation District Low-income Fare Program **Oppose**

The public transit provided by the RTD is already a redistributive affair. Passenger fares don't cover the operating costs of the transit; a large chunk of funding comes from taxes on things like retail marijuana sales. Forcing a particular group of people to shoulder the burden of a service by taxing unrelated purchases/goods/services is redistribution, and it's not the role of government. Despite the fact that riders aren't actually covering the cost of their own transit, RTD doubles down on the redistribution by offering a variety of discount fare and incentive programs. This bill would authorize the Regional Transportation District (RTD) to create a program to offer reduced fares to low-income riders. The bill would make an appropriation of \$ 80,000 to be used to establish and implement the program. Because apparently heavily subsidized transportation should be even more subsidized.

This legislation opposes the principles of:

Equal Protection/Rule of Law (Redistribution)
Fiscal Responsibility

HB18-1403 Stand By Your Ad Act **Oppose**

Under current law, an independent expenditure that is broadcast, printed, mailed, or delivered in certain media formats and in excess of \$ 1,000 must have a disclaimer statement identifying the name of the issue committee making the expenditure. This bill would include online video, audio communication, and other online content to this requirement. The bill would also specify that the disclosure requirement related to electioneering materials includes all candidate committees, political committees, issue committees, small donor committees, political organizations, political parties, and any other person spending in excess of \$ 1,000. The bill would add this disclosure requirement to expenditures made in elections for school board. We think that people can evaluate advertisements for themselves without Big Brother slapping labels on everything.

This legislation opposes the principle of:

Individual Liberty
Personal Responsibility
Limited Government

HB18-1409 Crime Survivors Grant Program and Presumptive Parole **Oppose**

This bill would create the Community Crime Survivors Grant Program to provide funding to eligible entities that provide support services to crime survivors and other interventions that are intended to reduce repeat victimization, and appropriate \$ 1.7 million to the program. The other (seemingly unrelated) half of this bill would create a presumption in favor of granting parole to a nonviolent offender who has reached his or her parole eligibility date and who is not disqualified from such presumption by certain conditions. This analysis focuses on the grant program portion of the bill. Government is here to exact justice against offenders; it is the role of parents, friends, mentors and volunteer communities to care for and educate victims.

This legislation opposes the principle of:

Limited Government

HB18-1411 Employees Working With Vulnerable Persons**Support**

Current law requires employees of the department of human services and independent contractors with the department of human services who have or will have direct contact with vulnerable persons to undergo a fingerprint-based criminal history record check. Current law also requires employees or operators of licensed child care facilities or child placement agencies to undergo a background check. Employees or operators of licensed child care facilities that are under contract with the department of human services must obtain 2 separate background checks. This bill adds language to statute that allows for a single background check for such employees who have or will have direct contact with vulnerable persons, reducing redundancy for such employees.

This legislation supports the principle of:

Limited Government

HB18-1415 Regulate Student Education Loan Servicers**Oppose**

This bill intends to “promote all of the following: (I) meaningful access to federal affordable repayment and loan forgiveness benefits; (II) Reliable information about student loans and loan repayment options; and (III) Quality customer service and fair treatment.” The bill would require student education loan servicers to obtain a supervised vendor license from the administrator of the Uniform Consumer Credit Code. The bill exempts certain entities from these licensing requirements such as loan originators and lenders who are already licensed under current law. The Department of Law must adopt rules for the new license requirement. ‘Servicing’ means receiving a scheduled periodic payment from a student loan borrower, applying the payments of principal and interest with respect to the amounts received from a student loan borrower, and similar administrative services.

This legislation opposes the principles of:

Personal Responsibility

Free Markets

Limited Government

HB18-1417 Protect Constitutional Rights Colorado Residents**Oppose**

You can’t always judge a bill by its title. This bill isn’t about the rights of Colorado citizens; it’s about the state helping people violate federal immigration law. This bill would prohibit county law enforcement agencies from detaining individuals for the federal immigration and customs enforcement agency (ICE) or providing notifications of an individual’s release date and time to ICE without a federal warrant. The bill would prohibit renewal of current intergovernmental service agreements with ICE and prohibits new agreements. It would also require local law enforcement officers to administer an advisement of rights informing individuals that they have the right to deny an ICE interview request and that they can exercise their “constitutional” rights.

The bill would require the Department of Human Services to develop and publish model “Safe Spaces for Noncitizens” policies to “limit immigration enforcement on those premises and limit assistance with immigration enforcement to the greatest extent possible consistent with federal and state law.” All public schools, state-funded colleges and universities, public libraries, public health facilities, shelters, and courthouses must adopt the policies or equivalent policies. Probation offices and entities providing criminal court-ordered classes, treatment, and appointments may adopt the policies or equivalent policies.

This legislation opposes the principles of:

Equal Protection/Rule of Law

State vs. Federal Powers

HB18-1419 Oil Gas Operators Disclosures Wellhead Integrity

Oppose

This bill would require the Colorado Oil and Gas Conservation Commission (COGCC) to adopt rules addressing the permitting, construction, operation, and closure of production wells, and take into account regulatory developments and changes in operational practices that have occurred since 2008. Oil and gas operators are required to provide electronic notice of the location of each subsurface facility (flow lines or gathering lines) to the COGCC, and to each local government within whose jurisdiction the subsurface facility is located. The operator notification must distinguish between subsurface facilities constructed or installed before and after the bill's effective date, and specify whether a subsurface facility is active or abandoned. The bill specifies required time lines for notifications. Upon request from a local government, an oil and gas operator is required to provide a good-faith estimate of the number of wells the operator intends to drill in the next five years within a local government's jurisdiction, and a map showing the location within the local jurisdiction of the operator's existing oil and gas well sites and development sites for which the operator has applied to or received permits from the COGCC. How would you like to have to submit your 5 year business plan to the government every year?

This legislation opposes the principles of:

- Property Rights
- Free Markets
- Limited Government

HB18-1420 Early Childhood Development Special District

Oppose

Every mandate and prohibition issued by the state is backed by the full force of government. That includes the requirement that you pay your taxes. So when is it ok for government to initiate force on its citizens? At POL, we believe it's only moral for government to initiate force in order to protect your life, liberty, and property from others - including a tyranny of the majority sponsored by local government "special districts". To be crystal clear, that does NOT include protecting you from yourself or the consequences of your own choices. Using the force of government on your fellow citizens for any other purpose—including taking their money to help you "develop" your kids from birth to age eight—is wrong. Enter this bill, which would authorize the creation of Early Childhood Development Service Districts to provide services for children from birth through eight years of age. Services are defined as including (but not limited to!) early care and educational, health, mental health, and developmental services. Districts are authorized to seek voter approval to levy property taxes and sales taxes in the district to generate revenues to provide early childhood development services. Live in a newly created "special district" where 51% of people would qualify for getting some of your money and all they have to do is vote for it? Too bad, so sad for you.

This legislation opposes the principles of:

- Personal Responsibility
- Limited Government

HB18-1426 Virtual Currency Exemption Money Transmitters Act

Support

This bill would exempt the transmission of virtual currency from regulation under the Colorado "Money Transmitters Act". Cryptocurrency isn't a security; it's an alternative form of currency. Since it's relatively new, its exchange rate with the dollar currently fluctuates more drastically than currency such as the Euro, but it is currency nonetheless, despite the IRS's appetite for more revenue sources. Regulating it as a security doesn't make sense. This bill would help protect

cryptocurrency from unnecessary regulation.

This legislation supports the principles of:

- Individual Liberty
- Property Rights
- Free Markets
- Limited Government

HB18-1428 Authorize Utility Community Collaboration Contract

Oppose

This bill would authorize the creation of an “energy and innovation collaboration agreement” between an investor-owned utility and the government of a city, county, town, or city and county served by that utility. The agreement can “include any provisions that promote innovation, economic development, increased use of eligible energy resources, and other energy-related goals within the community.” Encouraging local governments and state-sponsored/regulated monopolies (Excel Energy) to work together to “promote innovation, economic development, increased use of eligible energy resources, and other energy-related goals within the community” is not the role of state government.

This legislation opposes the principles of:

- Limited Government

SB18-244 Alcohol Beverage Sale by Hotel Restaurant Licensee

Support

Under current law, a hotel that holds a hotel-restaurant liquor license may sell alcohol beverages to customers of the hotel only on areas of the premises where meals are regularly served, furnish and serve complementary alcohol in sealed containers, and sell alcohol beverages in sealed containers through in-room minibars. Under this bill, a licensed hotel could also sell beer or wine in sealed containers for consumption on the licensed hotel premises. The beer or wine must be sold between 8 a.m. and midnight, and not exceed 72 ounces of beer (equivalent of a six pack) and 750 milliliters of wine (one bottle) per transaction.

This legislation supports the principles of:

- Individual Liberty
- Property Rights
- Limited Government

SB18-262 Higher Education Targeted Master Plan Funding

Oppose

This bill would appropriate \$ 16,821,178 and require that the money be used to fund programs aimed at achieving the goals of the Colorado Commission on Higher Education’s master plan. According to the bill, the current master plan “identifies four key goals that seek to increase credential completion, erase equity gaps, improve student success, and invest in affordability and innovation.” Completing your credits and “succeeding” as a student is up to you—not on the higher education system. Higher education is there to provide an education, not to parent your adult self or erase so-called “equity gaps”.

This legislation opposes the principles of:

- Personal Responsibility
- Fiscal Responsibility
- Limited Government

SB18-265 Child Care Savings Account Income Tax Benefits

Oppose

Santa's election year elves are back. It is not the role of government to use tax policy to favor particular groups, lifestyles, or causes. Taxation should be limited to taking the funds needed to protect life, liberty, and property. This bill would create child care savings accounts that individuals can use to pay licensed childcare institutions to watch a child under 6 years old. This only applies to licensed facilities, so those of you paying friends and nannies for childcare are out of luck (for now, watch for expansive amendments). To be eligible to create an account, an individual must have federal taxable income of less than \$ 90,000, or, in the case of individuals filing a joint return, \$ 180,000. We didn't have time to find data specific to Colorado, but a quick look at IRS data shows that in 2015 (most recent year available) returns with an Adjusted Gross Income of under \$ 200,000 made up 95.5% of all tax returns filed.

A taxpayer may claim a credit that is equal to 10% of the amount that the taxpayer contributes to an account, up to a maximum credit of \$ 250 per tax year. A taxpayer may contribute to multiple accounts but cannot claim more than \$ 25,000 of credits in an income tax year. A credit for a contribution to one's own account is refundable. All other credits are not refundable, but unused credits may be carried forward up to 5 years. It is not the role of the state to help you pay for your children at the expense of a handful of other Colorado taxpayers. This is redistribution at its finest – for the children, of course. These types of bills are designed to get people excited about what their legislator is “doing” for them. Too bad it comes at the expense of “doing” something to somebody else.

This legislation opposes the principles of:

- Equal Protection/Rule of Law
- Fiscal Responsibility
- Limited Government

SB18-272 Crisis and Suicide Prevention Training Program

Oppose

This bill would create the Crisis and Suicide Prevention Training Grant Program. The purpose of the grant program is to provide financial assistance to schools in providing crisis and suicide prevention training to schools, with priority given to those schools that have previously not received such training. The grant program may authorize up to \$ 400,000 in grants per year in varying amounts. Grant recipients are required to report on their activities using grant money. As we stated about another suicide prevention bill earlier this year (SB18-114): this bill is going to be an emotional one. Nobody wants to see kids commit suicide, but suicide prevention should be addressed by parents and local communities, not by the state. Nothing is preventing individuals, including school administrators, from voluntarily working together on suicide prevention now and many do.

This legislation opposes the principles of:

- Personal Responsibility
- Limited Government

SB18-273 Senior Property Tax Exemption Medical Necessity

Oppose

This bill would specify that for property tax years commencing on or after January 1, 2019, a senior is deemed to be a 10-year owner-occupier of a primary residence that the senior has owned and occupied for less than 10 years and therefore qualifies for the senior property tax exemption for the residence if: the senior would have qualified for the senior property tax exemption for the senior's former primary residence but medical necessity forced the senior to stop occupying the former primary residence, and the senior has not owned and occupied another primary residence since the senior first stopped occupying his or her former primary residence due to medical necessity. 'Medical necessity' is defined as a medical condition verified by a physician licensed to practice

medicine in Colorado that required a senior to move from the senior's primary residence to a primary residence that the senior can freely occupy without using stairs or a primary residence that is not located in a high-altitude area. As we already stated in this report, it is not the role of government to use tax policy to favor particular groups. This bill expands existing favoritism still further.

This legislation opposes the principles of:

Equal Protection/Rule of Law

Fiscal Responsibility

Limited Government