

Special District Association of Colorado

SDA NEWS

JULY 2023

Supporting Community-Based Government

2023 LEGISLATIVE SUMMARY



Coming soon!

2023 SDA Annual Conference

September 12-14



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- The Benefit of Two Funds
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Designed by Emmett Jordan

Happy Summer!

It's hard to believe it's already July, and we are just two months away from our Annual Conference!

Thank you to everyone who attended our Regional Workshops last month! We wrapped up our road trip in Durango, and it was another successful tour across the state. We always have such a nice time visiting with our members right in their own backyards, and this year we had more than 500 people join us for this valuable training. It was wonderful to see all of you again!

Now it's time to start planning to attend our upcoming Annual Conference, September 12-14 at the Keystone Conference Center! Check out pages 4-6 for more details on what we have planned, including over 45 breakout sessions covering topics such as cybersecurity, ADA website compliance, the National Special Districts Coalition, and much more.

New for this year we will also be offering three different Forums which will each focus on a specific discussion topic. These Forums will be held on Tuesday afternoon, and we are thrilled to dedicate time to these valuable conversations. Watch for more to come on topics and discussion leaders!

On top of all this, we will also have amazing keynote speakers and plenty of time to connect with your colleagues from the special district world. Plus, we will once again be livestreaming all the sessions and recording the breakout sessions so you can access the information even after Conference.

All in all, you won't want to miss it! Registration opens in early July so watch your emails and the SDA



Ann Terry, SDA Executive Director.

website at www.sdaco.org for all the details.

We are also busy with many other projects, including our focus on Referred Measure HH concerning property taxes which will be on the November ballot; our preparations for the 2024 Legislative Session; and our ongoing work on a federal level with the National Special Districts Coalition. As always, we will provide any pertinent updates on all these topics as we move through the summer and early fall.

Thank you for your ongoing support, and don't hesitate to contact us if there is anything we can do to help. We look forward to seeing you in Keystone in September!

Sincerely,

Ann Terry
Executive Director

Did You Know that the **SDA Annual Conference** is Just Over Two Months Away?

Now is the Time to Start Making Your Plans to Join Us!

It's hard to believe, but the 2023 SDA Annual Conference, September 12-14, will be here before we know it (don't forget, it's *Tuesday*, September 12 through *Thursday*, September 14)!

We are very excited to bring back our hybrid format, with both an in-person and livestreaming option.

The entire Conference will be held in-person at the Keystone Conference Center, and just like the last two years, our keynote presentations and breakout sessions will be livestreamed to a convenient online platform that will provide access for those who would like to join us remotely. **What's more, all the breakout sessions will also be recorded and available to all attendees after Conference** to go back and watch the sessions again, either as a refresher or to catch up on anything they missed. We know this format provides huge benefits for all our attendees, and we are thrilled to offer it again this year.

Our lineup of breakout sessions this year is stellar, and the sessions start early on Tuesday morning. All together we have over 45 sessions planned, which will provide an opportunity for participants to hear from a variety of experts on pertinent issues for special districts. On top of all of this, our entertaining and informative keynote speakers will offer their unique insight and perspective into big picture ideas that affect all of us (please see pages 7-8 for all the details on their presentations).

All three days of Conference are jam-packed, with a wide variety of universally applicable topics for all district types as well as sessions that are more technical in nature. We will have sessions on:

- » Cybersecurity
- » Website compliance
- » Going to the voters for funding
- » An update on the National Special Districts Coalition

- » The workforce housing crunch
- » Funding options for water projects
- » GIS
- » Workplace investigations
- » Staying compliant with statutory requirements
- » The in's and out's of boundary adjustments
- » Water usage across the Colorado Basin
- » Workplace wellness

This is just the tip of the iceberg so stay tuned for more details on all the sessions we have planned!

New this year on Tuesday afternoon, we are very excited to offer **three different Forums which will each focus on a specific discussion topic.** This will be a perfect opportunity for you to meet other attendees from your district type and/or who are facing similar challenges. This new feature in the schedule will be very valuable, and we are delighted to dedicate time to these beneficial conversations. We are finalizing the details of the topics and our discussion leaders so keep an eye out for more details to come!

We are also bringing back **the outdoor event tent space that will be set up on the Conference Center patio.** This additional space will be a perfect place to relax during the breaks between sessions or even as a place to **set up your laptop and headphones to tune into any sessions that might fill up.** Since we will be livestreaming the presentations to our virtual platform, if you find a meeting room that's full, but you would still like to listen in, you will be able to access the livestream right on your laptop!

As you are making all your plans to join us, the following is a general outline of how each day of Conference is shaping up.

Extravaganza

Tuesday, September 12

- » **Plan to get there early! The Conference begins at 7:15 am** with a welcome breakfast, the singing of the National Anthem, and the Presentation of the Colors.
- » Immediately following our opening activities, we are thrilled to be joined by our **breakfast keynote speaker, Meagan Johnson**. Meagan is a generational expert who will show you what you can do right now to make the most out of all the generations currently in the workplace. Her insightful presentation, **“Zap the Generational Gap!”**, will be a great way to kick off the day.
- » The day will be filled with **educational and timely sessions** for both Board members and managers alike. Whether you are new to your position or have served in your role for years, there will be something for everyone.
- » Our **Awards Luncheon** will be on Tuesday so we have a chance to honor our winners on the first day! Join us as we celebrate these exceptional Board members, Managers, and districts.
- » Tuesday's lunch will also feature **Paul Long** and his enlightening (and entertaining) presentation, **“Connecting the Workplace and Life Through FUN.”** Through his concept of FUNdamentals, Paul will empower you to improve your quality of life at home and at work.
- » Tuesday afternoon is when we will offer our **new Forums** (see above)! Our topics are really coming together so stay tuned for more...
- » Following the Forums, take a few minutes to relax and visit with your fellow attendees on the beautiful patio at the Conference Center as our **Opening Night Extravaganza** begins!
- » This year we will have music on the patio with the ever-popular **Randall McKinnon** as well as music and trivia in the ballroom! And of course, lots of **amazing food!**

Continued on page 6

First round of
trivia at 5:45!
Second round
at 6:45!

Wednesday, September 13

- » **Colette Carlson** will kick off the day with her engaging and researched-based program **“Connected Leader.”** Colette is a human behavior expert who will show you how to transform relationships through the power of connected conversations.
- » Pertinent and informative sessions will take place all morning, with a **goodie break** in between.
- » Our lunchtime keynote speaker, **Christine Porath**, will discuss the importance of civility in the workplace and creating thriving workplace communities.
- » Along with additional educational sessions, the **Colorado Special Districts Property and Liability Pool Annual Membership Meeting** will take place on Wednesday afternoon. This meeting will feature a keynote presentation from the Pool’s very own Safety and Loss Prevention team!
- » If you missed the first goodie break in the morning, you can catch another one in the afternoon!
- » Back by popular demand is our **Boots and BBQ event on Wednesday evening!** Wear your favorite pair of boots as you enjoy delicious BBQ with all the fixings right on the Conference Center patio. And, we will once again feature music from the **Beau Thomas Band!**

Thursday, September 14

- » At Thursday’s keynote breakfast, we are thrilled to welcome back 6-time Emmy Award winning TV broadcaster and comedian, **Ross Shafer!** Ross joined us several years ago, and this year he is back with a whole new presentation entitled **“RATTLED...How to Go From Shook to...Solid.”** In this interactive and impactful program, Ross will share his “blueprints for rallying” in every imaginable circumstance.
- » There will be **two tracks of sessions between breakfast and lunch.** This gives us 10 sessions on Thursday morning!
- » We are once again offering our **Grab-and-Go Lunch** that you can stay and enjoy before heading home or take with you in the car. This worked out well last year, and we are pleased to offer this flexible lunch option again.
- » Thursday will be a full day, and we will conclude at the perfect time to get you back on your way!

All of this and much, much more awaits you at the 2023 SDA Annual Conference, September 12-14 at the Keystone Conference Center!

Registration opens in early July so watch your emails and visit the SDA website at www.sdaco.org for more information. The hotel reservation information is also available on our website.

Mark your calendars, get ready to register, and we will see you in Keystone in September! 🍷



Check Out These Keynote Speakers Who Will Be Joining Us at the 2023 SDA Annual Conference!

We have an amazing lineup of keynote speakers for this year's Annual Conference! We are so excited to be able to host this enlightening group of experts who will provide the perfect complement to the information-packed breakout sessions we will be offering. Their keynote presentations will round out our event perfectly!

Read on to find out more...



Tuesday Keynote Breakfast
Meagan Johnson
Zap the Generational Gap!

In her highly energetic presentation, Meagan Johnson will delve into a variety of insightful topics, including the different generations and how their generational signposts shape their expectations of the workplace; the steps to create a generationally robust and diverse culture; and the top generational engagement factors, among many others.

Having a generational misunderstanding is nothing new. Many of us have walked away from a multi-generational interaction with less than stellar results. We are left scratching our heads, thinking, "Is this a generational issue or a personality problem?" Combined with conflicting generational information and blatant generational stereotypes, it can be a challenge to forge a new path with the multi-generational people in our lives. The truth is the workforce spans across five generations, and now, following a global pandemic, it has become increasingly necessary to separate the wheat from the chaff when it comes to debunking generational myths and truths.



**Tuesday Awards Luncheon
and Keynote Speaker**
Paul Long
**Connecting the Workplace
and Life Through FUN**

Paul Long's message will lead you through a wealth of emotions as you laugh, think, reflect, and have FUN while learning tactical tips to create more meaningful interactions with others. Through his FUNdamentals, Paul will empower you to make strides in improving your quality of life at home and work. When applied, these practical behaviors are proven to create more joy, FUN, and fulfillment while improving business results. Organizations around the globe are challenged right now to create engaging experiences with a workforce and customer base that feel as disconnected as ever. Paul, who is a speaker, author, podcaster, and master of shenanigans, leverages his concept of "Fundamism" to deliver a live keynote unlike anything you've experienced before.

Continued on page 8



Wednesday Keynote Breakfast

Colette Carlson

The Connected Leader

In this engaging, uplifting, and research-based program, Colette Carlson will help local government leaders master their ability to communicate and connect on deeper levels by learning how to strengthen emotional intelligence to maximize impact and influence; invest time to grow and develop the whole person to attain and retain talent; and learn specific, human-centric conversations that inspire action and cooperation.

The future of leadership is human. The ability to create a connection that is real, emotional, and personal drives employee motivation, engagement, and outcomes. Connected leaders, through their own transparency, inclusion, and accountability, create a psychologically safe environment where individuals feel like they belong and matter—which is key to job satisfaction and mental health. The demands of new hybrid workplaces require that leaders be compassionate and conscious communicators who can lead change, and influence and impact their teams.



Wednesday Keynote Lunch

Christine Porath

Mastering Civility

Incivility is prevalent in organizations, and it's getting worse. The costs of incivility are rising, too. In this thought-provoking discussion, Christine Porath will delve into the varied ways incivility wrecks performance and robs the bottom line. She will explain what civility buys you—and what you can focus on to be more effective. Christine will also share recommendations for what leaders should do to enhance their influence and craft a more respectful and thriving work environment.

Conference registration opens in early July so watch your emails and visit the SDA website at www.sdaco.org for more information.



Thursday Keynote Breakfast

Ross Shafer

RATTLED...How to Go From Shook to... Solid

This program is interactive, fun, emotional, and impactful! None of us can perform at our peak when we have been derailed by a catastrophic family event, a disruptive workplace dilemma, or a global pandemic. How do you bounce back after the crisis has abated? In this engaging presentation (and based on his book of the same name), Ross Shafer will share his 'blueprints for rallying' in every imaginable circumstance. Among many other take-aways, you will learn how to change your perspective for harvesting new ideas; abandon your old ways of solving problems; empower your brain to embrace resilience; and much more. 🍋

2023

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A Special Thanks to **SDA's Platinum Sponsors!**

We are thrilled to be working with our 17 Platinum Sponsors throughout the course of this year and for our upcoming Annual Conference! Below is a brief background on each company, many written directly from their perspectives. Please take a minute to learn more about the great services they provide and how they might be able to help your district. And stop by and visit them while you're at Conference in September!



The Colorado Special Districts Property and Liability Pool is **Your Risk Management Partner.**

We are not your typical insurance company. Because we are member-owned, we don't report to shareholders—we report to our members. Everything we do focuses on life safety, preventing debilitating injury, and the preservation of district property. Our staff of dedicated industry professionals has pulled together comprehensive coverage products and mission-critical services tailored specifically for special districts. Working with members, our staff's mission is to ensure every district employee returns home at the end of his or her shift.

Visit csdpool.org to discover why more than 2,100 organizations trust the Colorado Special Districts Property and Liability Pool with their risk management.



COLOTRUST (Colorado Local Government Liquid Asset Trust) is Colorado's original and largest pooled investment trust in the state. Designed specifically for Colorado's local governments, COLOTRUST's pools seek to provide a convenient method for investing in a range of high-quality, short- to medium-term securities carefully chosen to provide for prioritizing safety, and liquidity and yield.

Founded in 1985, COLOTRUST has since experienced rapid growth in both assets and participation. Continually striving to meet the evolving needs of local governments, COLOTRUST proudly offers three investment options that fit into a variety of fixed-income investment strategies, together creating a comprehensive approach to investing.

COLOTRUST is a Platinum Sponsor because it recognizes the importance of SDA when it comes to the support and education of special districts across the state. Currently, special districts make up more than half of the valued participants of COLOTRUST.



Community Resource Services of Colorado (CRS) offers cost-effective, high-quality customized services to more than 250 special

district clients. Its approach is to listen as clients outline their needs and then develop a plan that is cost-effective in achieving the clients' goals and objectives.

CRS is dedicated to being your one-stop source in effectively providing services in management, accounting, financial consulting, elections, billing services, project management, and field supervision. Its clients can depend on CRS' highly ethical, experienced, and skilled consulting team.

CRS has been a Platinum Sponsor of SDA for several years, strongly supporting SDA's efforts to provide effective communication, research, legislative support, administrative assistance, and educational opportunities to its members, thereby improving the function of districts throughout the state.

CRS believes that SDA's leadership in helping special districts serve the public in the most efficient and economical manner possible is invaluable.

Founded in 2005, CRS has grown to 25 people on staff with 250 years of combined experience in the industry. Sue Blair, Chief Executive Officer of CRS, has served on the SDA Board since 2013.



Collins Cole Flynn Winn & Ulmer, PLLC is a local government law firm powered by experience, innovation, and collaboration. The five founding partners have practiced together for decades.

Together, we bring unparalleled experience in special district law,

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ABOUT US

Since 1995, the Colorado Employer Benefit Trust has partnered with the Special District Association of Colorado to provide benefit solutions that are superior and affordable. With more than 240 Special Districts participating in the Trust, CEBT is recognized for its comprehensive benefit offerings, exceptional customer service and consistently low rate increases.

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and we implement a team-oriented approach to deliver high-quality and cost-effective legal services to our clients.

Our attorneys and paralegals have deep and longstanding involvement with the Special District Association of Colorado. Jim Collins co-founded SDA in 1975, and Allison Ulmer is now the Executive Vice President.

We work closely with SDA to provide seminars, publications, and other educational materials relating to the legal needs of special districts throughout the year, such as:

- » Updating the Board Member Manual
- » Traveling throughout Colorado to provide the SDA Annual Regional Workshops for Board Members and employees
- » Speaking at the SDA Annual Conference
- » Supporting SDA's legislative activities

Our clients have come to trust our guidance and advocacy. We strive to help our clients both solve their current legal problems and prevent future ones by providing proactive and pragmatic legal representation based on our decades of experience. You can learn more about us at www.cogovlaw.com or you can contact us at 720.617.0080 or info@cogovlaw.com



CSAFE is a local government investment pool established in 1988, celebrating many years of service. We offer two investment funds for cash and investment dollars. Our focus is to provide Colorado's special districts safety of principal, liquidity

of funds, and competitive yields through our funds.

The "CSAFE Cash" fund is for overnight and weekly cash demands. The "Colorado Core" fund is for your district's savings and core funds. Both funds provide a stable NAV (Net Asset Value) and professional money management.

CSAFE is proud to be a member of SDA for over 33 years and a Platinum Sponsor for the past 14 years. CSAFE treasures its relationship with SDA and more than hundreds of special districts.

We look forward to visiting with you at the conference. Please refer to our website at www.csafe.org for more information.



TCW Risk Management is a full-service agency deeply committed to serving Colorado's special districts. Determined to simplify your participation in the management of your insurance program, we offer one agency, one consulting team, and one service team as a point of contact for your workers' compensation, property liability, and employee benefits needs. Our service team is knowledgeable and boasts an average of 20 years of experience in the industry.

Special district leaders across Colorado come to TCW Risk Management when they feel their workers' compensation claims management process is ineffective and want to better command their total risk cost. We help special districts design an insurance program tailored to their organization's needs; create and implement a formalized risk management program; and develop a proactive claims management process.

We are determined to help special districts minimize employee injuries, get those who are injured the most appropriate care, and get them back to work as quickly as possible. All this is designed with the goal of saving the organization valuable time and money.

TCW's Public Sector Health Care Group (PSHCG) is a health insurance pool that allows small and mid-sized governmental agencies to purchase employee benefits that they may not otherwise have access to as an independent district. By joining like-minded employers, PSHCG member agencies become part of a larger, more stable collective resulting in a greater range of coverage and pricing options.

TCW Risk Management is a Platinum Sponsor because, it says, "SDA and special districts individually have been so supportive of our organization that we would not have it any other way." The firm was founded in 1945 and provides services to more than 900 special districts in Colorado. Mark Carlson is the President of the Commercial Branch, and Cindy Myers is the President of TCW's Employee Benefits Branch.



CEGR Law is a team of dedicated local government and public utility attorneys and paralegals working for more than 40 years serving Colorado's communities as general counsel, and providing specialized services, including conducting public elections and water rights administration and litigation.

Our lawyers have worked in nearly all counties in Colorado to organize and advise local government entities engaged in multiple

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community services through metropolitan districts, and locally managed government services of all types including water, sanitation, fire, EMS/ambulance, hospital, library, and park and recreation districts. We have experience advising on and solving our client's legal issues associated with water rights and litigation; real property transactions; construction contracting; local government elections and TABOR compliance; employment matters; water and wastewater system operations and permitting; bond financing; and intergovernmental contracting.

CEGR Law fosters community relationships and is skilled at working collaboratively with other agencies and their counsel to create partnerships that improve efficiencies through intergovernmental authorities and contacts for combined services. We support all types of special districts, from small rural special districts that rely on volunteer involvement to large service districts with professional staffs providing services to hundreds of thousands of customers and property owners to metropolitan districts that enable the creation of new neighborhood communities and redevelopment of blighted areas.

We take pride in our clients and the valuable services they bring to their local communities and enjoy working collaboratively with elected and appointed public officials and Boards of Directors to address the unique needs of each project. That's why our motto is "Building and Protecting Colorado's Communities."

CEGR Law wholeheartedly supports SDA and the public education and advocacy work that SDA advances on behalf of all special districts. We are thrilled to once again be a Platinum Sponsor of SDA and hope to see you all at this year's Annual Conference in Keystone!

CEBT

Benefit by Trust

Colorado Employer Benefit Trust (CEBT) is the health benefits pool endorsed by SDA for more than 25 years to provide medical, dental, vision, life, and disability benefits for SDA member employers. CEBT is a not-for-profit, self-funded governmental health benefit trust providing quality benefits and excellent service at a reasonable cost to Colorado governmental entities for over 40 years. It currently has approximately 37,000 members from 435 participating public employers, of which 245 are special districts.

CEBT chose to be a Platinum Sponsor to honor its long-standing relationship with SDA, and to demonstrate its commitment to special districts throughout the state of Colorado and their need for quality affordable employee health benefits. Founded in 1980, CEBT has a staff of 37 dedicated to serving CEBT's public sector customers. Bobby Otte is a Senior Director for WTW, which serves as the administrator for CEBT.



STREAMLINE

Streamline is a website platform that creates user-friendly communication and compliance tools for special districts. Our goal is to simplify the lives of special districts by providing them with the necessary resources to overcome challenges such as limited budgets and staff. We offer a range of solutions, including a website platform with built-in compliance checklists, professional mass communication tools, an intranet system for secure internal operations,

and an online payment processing tool. Our platform is designed to make back-office tasks easy and self-service, allowing a single staff member to handle multiple tasks without requiring specialized training or additional hires. With Streamline, special districts can streamline their operations, improve efficiency, and engage their community. Find out more at www.getstreamline.com



Ramey Environmental Compliance provides contract operational services for domestic drinking water, domestic wastewater, and industrial wastewater facilities for special districts, municipalities, and private owners. Ramey Environmental Compliance also provides consulting services in many areas of the water/wastewater industry along with an Equipment Services Division, which provides service and maintenance on existing and new equipment used in the industry.

Ramey Environmental has chosen to be a passionate part of SDA, and most of its clients are special districts that are associated with SDA. SDA provides education, leadership, and training opportunities that aren't offered by other associations. SDA also keeps its members informed on legislative and regulatory alerts that affect the costs associated with providing water and wastewater services. This is truly beneficial to Ramey Environmental because when clients are informed about the current status of regulations, it makes Ramey Environmental's job easier to perform.

The company was founded in

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1992 and incorporated in 1997. Ramey Environmental currently has 42 employees. R. Wayne Ramey is President of the company, and Linda Ramey is its Chief Financial Officer.



SpencerFane

Spencer Fane LLP serves as general counsel and special counsel to scores of Colorado's special districts and municipalities, including cities, fire protection districts, water and sanitation districts, metropolitan districts, business improvement districts, intergovernmental authorities, and others. It provides services regarding the formation and representation of these entities in the areas of municipal law, election law, TABOR issues, finance, environmental law, land use, eminent domain, litigation, and other related areas. In addition, the firm serves as bond counsel to numerous political subdivisions throughout the state.

Spencer Fane has been a Platinum Sponsor for years because the firm recognizes that SDA provides essential guidance, education, and legislative representative services to all special districts in the state, and those efforts need to be supported, not only financially, but with the firm's active presence and cooperation.

Founded in 1952, Spencer Fane has more than 430 attorneys and 190 support staff in 19 offices across the U.S. It notes that its attorneys were instrumental in writing the Colorado legislation establishing special districts, as well as the laws governing the electoral process for not only special districts but Colorado municipalities generally. The firm says, "Special districts and municipalities require special

knowledge. Let us put our experience to work for you." Denver-based Partner Tom George chairs the Spencer Fane Special Districts group, which is comprised of 10 attorneys and 7 experienced paralegals and support staff.



SIPA is a government authority created in 2004 to serve Colorado state and local governments, offering low-risk, secure technologies for the best price from private sector suppliers. SIPA's services include websites, online forms, payment processing, office productivity, cybersecurity, community engagement, and professional services.

Striving to be a resource and giving back to Colorado communities, SIPA offers a library of content for accessibility and cybersecurity; hosts monthly webinars; and sends newsletters with valuable information, events, tips, and peer projects. Annually, SIPA provides micro-grants for public-facing technology projects and a one-day conference with keynote speakers, panel discussions, and networking opportunities. All this and more at sipa.colorado.gov.



Pinnacle Consulting Group, Inc., was founded in 2004 by Chad Walker and Peggy Dowswell. While actively working in the private and public sectors, our founders observed a need in the Northern Colorado market for comprehensive Title 32 district management services supporting individual Public-Private Partnerships projects. Pinnacle was

founded to provide this comprehensive service through district management/administration, finance/accounting, and capital infrastructure/maintenance.

From the beginning, the mission of Pinnacle has been focused on serving our clients and communities by creating mutually beneficial Public-Private Partnerships through many financial and land development tools, including Title 32 metropolitan districts. Title 32 metropolitan districts continue to be a great solution to the needs of both the private and public sectors throughout Colorado.

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Continued on page 17



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district is operating smoothly and in compliance with State regulations.

The firm is led by Cathy Fromm, CPA, who has been in the local government finance arena for over 35 years, including ten years as a municipal Finance Director. Cathy also has served as President, Vice-President, and Treasurer for the Colorado Government Finance Officers Association (CGFOA). Other team members’ experience encompasses over 20 years in administration, accounting, compliance, management, election, and paralegal services to special districts, in addition to Big 4 CPA auditing experience. Another service Fromm & Company can offer our clients is construction management, with over 40 years of experience amongst our team members.

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Conference registration opens in early July so watch your emails and visit the SDA website at www.sdaco.org for more information.



2023 LEGISLATURE AND LEGISLATION SUMMARY

The 2023 Regular Session of the Colorado General Assembly adjourned on May 8, 2023. Fewer bills than usual were introduced in the 2023 Session, but that didn't stop both Chambers from working late into the evening of the final day of the 120-day session.

Following the November 2022 General Election, Democrats now hold a super-majority in the House and are one seat/vote away from the same in the Senate. Regardless of these numbers, hotly contested issues like renters' rights, fair work scheduling, and a ban on assault weapons were dismissed early in the process. Meanwhile, issues traditionally aligned with the Democratic platform, such as reproductive access, passed on party line votes. Similarly, when a bill was introduced that would have restricted transgender rights, the Democrats held firm and defeated the measure with ease. The Governor attempted to leverage sizable majorities in both Chambers with his Land Use bill that went from an enthusiastic press conference to a tug-of-war between both Chambers before Senate Democrats, in the final hours of the Session, unceremoniously killed the bill.

While Democrats were trying to find a way to keep their majority on the path of the righteous, Republicans were able to filibuster a large part of the first third of the Session before the Democratic majority

in the House sporadically enacted Rule 14 and limited debate on bills to one hour. Although the use of the rule was a welcome sign for those who wanted and needed the Legislature to advance certain policies, it was used sparingly and did not save enough time throughout the Session. As a result, the Legislature worked through multiple weekends in the last month and a half of the Session.

Attempts to reduce anticipated property tax increases played a large role in this Session as legislators in both Chambers routinely attempted to address the impact of sharper increases in valuation that Coloradans will face in the coming property tax cycle. To that end, the Senate introduced two late companion bills that specifically deal with property taxes. These bills lacked any meaningful stakeholder work with local governments that rely on property tax revenue and passed on a party line vote the final day of the Session after much acrimony.

In the following summary we have selected a number of bills from a variety of topic areas. These areas have been selected for their impact on the operations of special districts across the board. As it turns out, in the current political environment, we have been pulled into many issues around employment. Our bill tracker and more information can be found on the SDA website at www.sdaco.org (please make sure you are logged in and then click on "Legislative Updates" on the front page).

Score Sheet

Total bills introduced:

617

Passed both Houses:

486

Killed:

131

House Bills:

311

Senate Bills:

306

In the following summary we have selected a number of bills from a variety of topic areas. These areas have been selected for their impact on the operations of special districts across the board.

>> Employment <<

Senate Bill 23-017

Additional Uses Paid Sick Leave

SB23-017 expands the Colorado Healthy Families and Workplaces Act (“HFWA”), which requires that each Colorado employer provide paid sick leave for all employees, by allowing paid sick leave for bereavement leave or to care for a family member whose school, daycare, or similar facility is closed due to inclement weather.

Position: Oppose

Sponsors: Sen. F. Winter, and Rep. J. Willford, Rep. J. Joseph

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 2, 2023



Senate Bill 23-046

Average Weekly Wage Paid Leave Benefits

SB23-046 modifies the statutory calculation of the Colorado Paid Family and Medical Leave Insurance (FAMLI) Act leave benefits by including all jobs that the employee worked in the base period, instead of only the jobs from which the employee is taking leave.

Position: Monitor

Sponsors: Sen. F. Winter and Rep. M. Duran

Effective: Upon signature of the Governor

Final Status: Governor signed on March 23, 2023

Senate Bill 23-058

Job Application Fairness Act

SB23-058 creates the Job Application Fairness Act, prohibiting employers from inquiring about a prospective employee's age, date of birth, and dates of attendance at or date of graduation from an educational institution on an initial employment application.

Position: Monitor

Sponsors: Sen. J. Danielson, Sen. S. Jaquez Lewis and Rep. J. Willford, Rep. M. Young

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 2, 2023

Senate Bill 23-105

Ensure Equal Pay for Equal Work

SB23-105 amends the Colorado Equal Pay for Equal Work Act. Starting on January 1, 2024, the Colorado Department of Labor and Employment is authorized to investigate and take enforcement action regarding complaints alleging violations of state pay equity laws. SB23-105 further specified the following: when job or promotional opportunities must be posted; what information must be provided to employees when a candidate is selected; and that objectively defined career progressions need not be posted, so long as the terms and how to access such advancement are disclosed to employees.

Position: Monitor

Sponsors: Sen. J. Danielson, Sen. J. Buckner, Rep. S. Gonzales-Gutierrez, and Rep. J. Bacon

Effective: January 1, 2024, assuming no referendum petition is filed

Final Status: Governor signed June 5, 2023

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Senate Bill 23-111

Public Employees' Workplace Protection

SB23-111 establishes the Protections for Public Workers Act. Starting July 1, 2024, new state statutory rights are granted to public employees of certain state and local government employers, including special districts. These protections include discussing or expressing views regarding public employee representation or workplace issues. The Colorado Department of Labor and Employment has rulemaking, enforcement, and adjudication authority.

Position: Oppose

Sponsors: Sen. R. Rodriguez, and Rep. S. Woodrow, Rep. B. Titone

Effective: July 1, 2024, assuming no referendum petition is filed

Final Status: Governor signed June 6, 2023



Senate Bill 23-172

Protecting Opportunities and Workers' Rights Act ("POWR")

SB23-172 amends the Colorado Anti-Discrimination Act ("CADA") by adding an updated definition of "harassment" and to reject the severe or pervasive standard used to determine an employer's liability. SB23-172 establishes statutory requirements for the provisions of a nondisclosure agreement to be enforceable and provides employer penalties for violations.

Finally, the bill requires an employer to maintain personnel and employment records for at least five years and to keep records of discriminatory or unfair employment practices in a designated repository.

Position: Monitor (after Oppose unless Amended)

Sponsors: Sen. F. Winter, Sen. J. Gonzales and Rep. M. Weissman, Rep. J. Bacon

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 6, 2023

>> Fire <<

Senate Bill 23-166

Establishment of a Wildfire Resiliency Code Board

SB23-166 creates the Wildfire Resiliency Code Board in the Division of Fire Prevention and Control within the Department of Public Safety. The mission of the Board is to ensure community safety from and more resiliency to wildfires by reducing the risk of wildfires to people and property through the adoption of statewide codes and standards. The Board consists of 21 appointed voting members with specific government or industry qualifications and three non-voting members. The Board is required to promulgate rules concerning the adoption and administration of codes and standards for the hardening of structures and parcels reducing fire risk in the defensible space surrounding structures in the wildland-urban interface in Colorado.

Position: Support

Sponsors: Sen. L. Cutter, T. Exum and M. Froelich, E. Velasco

Effective: Upon signature of the Governor

Final Status: Governor signed on May 12, 2023

>> General <<

House Bill 23-1023

Dollar amount for public notice for special district construction contracts

HB23-1023 increases the public notice threshold from \$60,000 to \$120,000 or more. The dollar amount will adjust for inflation every five years. This adjustment for inflation every five years will help keep up with the costs of materials and labor.

Position: Super Support

Sponsors: Rep. W. Lindstedt, D. Wilson and Sen. D. Roberts, R. Gardner

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed on March 17, 2023

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House Bill 23-1032

Remedies Persons with Disabilities

HB23-1032 allows people with disabilities to bypass state administrative requirements and file their complaints direct in court in instances where businesses or governments have committed violations under the Colorado Anti-Discrimination Act and Americans with Disabilities (ADA) Act.

Position: Monitor

Sponsors: Rep. D. Ortiz and Sen. Rodriguez

Effective: Upon signature of the Governor

Final Status: Governor signed May 25, 2023

House Bill 23-1105

Homeowners' Association and Metropolitan District Homeowners' Rights Task Forces

HB23-1105 creates task forces to examine issues impacting certain homeowners' rights in HOAs and metropolitan districts. Of the thirteen members of the Metropolitan District Homeowners' Rights Task Force, one member must be an attorney specializing in metropolitan district law as recommended by SDA and one member must be a representative recommended by the Metropolitan District Education Coalition.

Position: Monitor

Sponsors: Rep. J. Parenti, Rep. B. Titone and Sen. L. Cutter, Sen. R. Fields

Effective: Upon signature of the Governor

Final Status: Governor signed May 24, 2023

House Bill 23-1255

Regulation Local Housing Growth Restrictions

HB23-1255 prohibits "anti-growth laws," defined as "a land use law that explicitly limits either the growth of the population in the governmental entity's jurisdiction or the number of development permits or building applications for residential development." Numerous exceptions for temporary, nonrenewable anti-growth laws are allowed in the Act; these temporary laws may be effective for no more than 24 months in any five-year period.

Position: Oppose

Sponsors: Rep. W. Lindstedt, Rep. R. Dickson and Sen. Gonzales

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed May 12, 2023

House Bill 23-1259

Open Meetings Law Executive Session Violations

HB23-1259 amends the Open Meetings Law to specify that no award of costs or attorney fees may be ordered for pro se plaintiffs (persons representing themselves) who are challenging the compliance of a local public body (including Boards of a special district) with executive session procedures in District Court.

Position: Support

Sponsors: Rep. L. Daugherty, Rep. G. Evans and Sen. R. Zenzinger, Sen. C. Simpson

Effective: Upon signature of the Governor

Final Status: Governor vetoed on June 6, 2023

Continued on page 24



Senate Bill 23-150

Requiring Labeling of Disposable Wipes

SB23-150 requires each entity described below, after December 31, 2023, to label packages of premoistened, nonwoven disposable wipes with the phrase "Do Not Flush":

- » A manufacturer of a covered product that is sold or offered for sale in this state; and
- » A wholesaler, supplier, or retailer that is responsible for the labeling or packaging of a covered product.

Knowing or reckless violations can be brought under the "Colorado Consumer Protection Act" as a deceptive trade practice.

Position: Support

Sponsors: Sen. D. Roberts, P. Will and Rep. M. Froelich, L. Frizell

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed on April 11, 2023

Senate Bill 23-183

Local Government Provision of Communications Services

SB23-183 repeals the 2005 statutory requirement (SB 05-152) for local governments, including special districts, to obtain voter approval for a local government before providing, investing, or operating telecom services, including a broadband network.

Position: Support

Sponsors: Sen. K. Priola, Sen. M. Baisley and Rep. B. Titone, Rep. R. Weinberg

Effective: Upon signature of the Governor

Final Status: Governor signed on May 1, 2023

Senate Bill 23-244

Technology Accessibility Cleanup

SB23-244 clarifies statutory language to ensure the provision of reasonable accommodations for persons with disabilities. The bill requires the Office of Information Technology to promulgate rules regarding accessibility standards for an individual with a disability for information technology systems employed by state agencies. The bill clarifies language regarding sanctions for failing to comply with accessibility standards.

Position: Monitor

Sponsors: Sen. J. Bridges, Sen. R. Zenzinger and Rep. S. Bird, Rep. E. Sirota

Effective: Upon signature of the Governor

Final Status: Governor signed on April 4, 2023

Senate Bill 23-280

Hazardous Material Mitigation

SB23-280 makes several policy and fiscal changes intended to mitigate pollution by fuels and other hazardous materials, but also amends the statutes authorizing the voluntary Firefighter Cancer Trust to allow state patrol troopers assigned to the hazardous materials team to be participants and to allow the state to join the Cancer Trust to provide benefits.

Position: Monitor

Sponsors: Sen. K. Mullica and Rep. M. Snyder

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 6, 2023

Senate Bill 23-286

Access to Government Records

SB23-286 makes a number of changes to the Colorado Open Records Act (CORA). The bill prohibits a governmental entity from charging a per page fee under CORA if the document in question is e-mailed to the requester. The bill also states that if a governmental entity accepts payments by credit card currently, it must do so for CORA requests. Finally, the bill makes records of sexual harassment complaints against an elected official (and investigatory reports regarding the harassment complaints) available for inspection if the investigation concludes that the elected official is culpable. The bill requires that the records be redacted, however, to protect the anonymity of the accuser.

Position: Monitor

Sponsors: Sen. Hansen and M. Rep. Snyder, M. Rep. Soper

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 6, 2023

>> Tax <<

House Bill 23-1062

Metropolitan District Tax for Parks and Recreation

HB23-1062 amends the statutory authority of metropolitan districts to seek voter approval of a sales and use tax for safety protection, street improvement, transportation services, and fire protection, by adding that a sales tax for parks or recreational facilities or programs, with voter approval.

Position: Support

Sponsors: Rep. T. Mauro and Sen. N. Hinrichsen

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed on April 17, 2023

Senate Bill 23-108

Allowing Temporary Reductions in Property Tax Due

SB23-108 codifies a long-standing practice among local governments that levy property tax, which is recognizing mills may be temporarily reduced or credited to provide property tax relief, in addition to being used as TABOR refund mechanisms. Position: Monitor

Sponsors: Sen. M. Baisley, Sen. F. Winter and Rep. R. Pugliese, Rep. L. Frizell

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 5, 2023

Senate Bill 23-303

Reduce Property Taxes and Voter-Approved Revenue Change

SB23-303 refers proposition HH to the 2023 state-wide general election ballot, the following of which would take effect upon voter approval:

- » A ten-year temporary reduction in the assessed value of most classifications of property;
- » Temporary reductions in the actual value of residential property;
- » Increasing the state's Ref C cap by 1% (the proposition HH cap); and
- » Specifying what purposes for which these additional revenues may be used, including the limited backfill for non-school property taxing local governments.

Position: Oppose

Sponsors: Sen. S. Fenberg, Sen. C. Hansen and Rep. C. Kennedy, Rep. M. Weissman

Effective: Upon signature of the Governor

Final Status: Governor signed on May 24, 2023.

Senate Bill 23-303: The Referred Measure's title reads in full as follows:

SHALL THE STATE REDUCE PROPERTY TAXES FOR HOMES AND BUSINESSES, INCLUDING EXPANDING PROPERTY TAX RELIEF FOR SENIORS, AND BACKFILL COUNTIES, WATER DISTRICTS, FIRE DISTRICTS, AMBULANCE AND HOSPITAL DISTRICTS, AND OTHER LOCAL GOVERNMENTS AND FUND SCHOOL DISTRICTS BY USING A PORTION OF THE STATE SURPLUS UP TO THE PROPOSITION HH CAP AS DEFINED IN THIS MEASURE?

Senate Bill 23-304

Property Tax Valuation

SB23-304 changes the valuation methodology used by County Assessors for property taxation by requiring the following to be considered:

- » The current use;
- » Existing zoning and other governmental land use or environmental regulations and restrictions;
- » Multi-year leases or other arrangements affecting the use of or income from real property;
- » Easements and reservations of record; and
- » Covenants, conditions, and restrictions of record.

SB23-304 also makes changes to some taxpayer protest processes and taxpayer data requests.

Position: Oppose

Sponsors: Sen. C. Hansen, Sen. S. Fenberg and Rep. B. Marshall, Rep. S. Bird

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed May 24, 2023

Continued on page 26



Water

Senate Bill 23-274

Water Quality Control Fee-Setting by Rule

SB23-274 delegates authority to the Water Quality Control Commission (WQCC) to set fees by rule after engaging in stakeholder outreach to identify the fee revenue needed and discuss the options for setting a cap on fee increases. SB23-303 also updates the membership of the WQCC by requiring that no more than five of its nine members be affiliated with the same political party, and by requiring specific sectoral experience, including experience as a regulated entity, and professional or governmental experience.

Position: Oppose

Sponsors: Sen. F. Winter and Rep. R. Dickson,
Rep. W. Lindstedt

Final Status: Governor signed May 17, 2023

- » Specifying that record packets for an independent medical review may be limited to those medical records that are relevant to the injury;
- » Allowing the amount and allocation of costs to the parties for an independent medical examination to be set by rule; and
- » Increasing the maximum allowable rate for a contingent attorney fee to 25 % of the amount at issue.

Position: Oppose

Sponsors: Rep. L. Daugherty and Sen. J. Marchman

Effective: 90 days following adjournment of the General Assembly sine die (August 7, 2023), assuming no referendum petition is filed

Final Status: Governor signed June 5, 2023

In Sum

One aspect of one party in control of the House, the Senate, and the Governor's office is the fracturing that occurs within the party with all the power. It almost always creates a mini-3rd party. One of the new battles that is already brewing is the progressive caucus showing signs of rallying on the final day against the moderates in their own caucus and that in the Senate. At the same time, the minority party tends to unite in unexpected ways. The winds tend to shift with regularity.

Predictions for the 2024 Legislative Session range from LESS hectic due to it being an election year to even MORE hectic due to an upcoming election year. We will not know for sure until they drop the puck and the game begins. In any case, we will show up and play the game, and the game within the game. 🏒

Workers' Compensation

House Bill 23-1076

Workers' Compensation Updates

HB23-1076 amends the Workers' Compensation statutes to increase benefits and make other updates, including:

- » Increasing the time limit on workers compensation mental impairment claims from 12 to 36 weeks;
- » Allowing an expedited hearing for employees in some circumstances;
- » Clarifying that insurers cannot limit maintenance medical benefits in an admission of liability;



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