



2019 Legislative Session Report for Colorado Pest Control Association

The 2019 legislative session was widely reported on as being the most contentious and challenging in over a decade. An usually large class of first-year legislators (30 of the 100) as well as a new executive branch led to predictable growing pains and adjustments. In addition, Democratic leadership in both chambers expressed a desire to advance an ambitious legislative agenda – which was met with a variety of attempts to slow or stall bills on the part of Republican legislators.

Key Issues at the State Legislature

598 bills were introduced this year, of which 460 (77%) passed. This is noteworthy compared to the 60% of bills which passed through the legislature with divided control in 2018. While not all of the key Democratic-initiated proposals were successful, the legislative leaders did succeed in accomplishing a significant number of the goals they set for this session.

One of the primary areas of focus was local control, with several bills succeeding in (or attempting to) repeal state preemption. This tactic was seen in the areas of energy development, minimum wage, rent, and recycling/composting requirements for restaurant takeout containers.

Some of the legislation that garnered the most attention this session included:

SB 19-181: Protect Public Welfare Oil & Gas Operations

Easily one of the most contentious and impactful bills of the session, SB 181 made several significant changes to the way energy production is regulated in the state. A key element of the bill is the dismantling of state preemption of energy development, giving local governments the ability to set their own rules. The bill also reprioritized the focus of the state's oil and gas regulatory board, emphasizing health and safety (a shift from the previous mission which required a balance with also fostering energy development).

SB 19-188: FAMLI Family Medical Leave Insurance Program

Senator sponsor Faith Winter (D-Westminster) had proposed FAMLI during each of the last four sessions, only to see the bill die in the Republican-controlled Senate. The bill was initially expected to succeed under full Democratic control. However, concentrated and persistent

concern from the business community ultimately impacted the effort. The bill was modified into a study (to examine whether the proposed policy would actually bring in enough money to fund itself) although the ultimate dates for implementation of the program remain unchanged.

[HB 19-1262](#): State Funding for Full-Day Kindergarten

Providing access to state-funded full-day kindergarten was a key priority of the Polis administration. Despite initial skepticism from the legislative Joint Budget Committee (which wanted to balance priorities for things like transportation funding) the necessary budget work was ultimately done to secure the necessary money for the program.

[HB 19-1261](#): Climate Action Plan to Reduce Pollution

This bill, whose sponsors included Speaker KC Becker (D-Boulder), was a key priority for Democrats. It set statewide goals to reduce greenhouse gas emissions by 26% by 2025, 50% by 2030, and 90% by 2050 (compared to 2005 levels). However, the bill did not include fines or other enforcement mechanisms for the emission reduction mandates.

Other successful bills include the “red flag” gun law to allow confiscation of weapons from someone deemed a threat to themselves or others ([HB 19-1177](#)), joining Colorado to the National Popular Vote Agreement ([SB 19-042](#)), repeal of state preemption of minimum wage ([HB 19-1210](#)), several bills regarding enhanced treatment and other services for those experiencing opioid addiction, and a controversial bill regarding comprehensive sex education ([HB 19-1032](#)).

Notable bills that had Democratic sponsors but did not make it through the legislative process include a repeal of the death penalty ([SB 19-182](#)), repeal of state preemption on rent control ([SB 19-225](#)), banning Styrofoam restaurant takeout containers ([SB 19-243](#)), and a bill that would tighten the process for school-entry vaccine exemptions ([HB 19-1312](#)).

Bills of Interest to CPCA

[Please click here for the full list of bills.](#)

PASSED: [HB 19-1328](#): Landlord and Tenant Duties Regarding Bed Bugs

This bill was CPCA’s top legislative priority for 2019. Initiated by House sponsor Rep. Herod (D-Denver) at the request of a constituent, CPCA engaged starting in summer 2018 by proposing bill language based on established best practices, convening stakeholders, and negotiating amendments. Due to the sponsor’s busy roster of bills HB 19-1328 was not introduced until April, but CPCA was able to facilitate successful stakeholder management, testimony in support of the bill, and lobbying of legislators to secure passage before the end of the session.

PASSED: [SB 19-186](#): Expand Agricultural Chemical Management Program

The idea for this bill originated under former Commissioner of Agriculture Don Brown. The bill expands monitoring of agricultural chemicals to include surface water in addition to groundwater. The intent is to utilize the Department of Agriculture’s expertise to prepare for

Reg 85 rulemaking in 2020. The bill calls for an initial increase in pesticide registration fees of \$40 (from \$165 to \$205). There was concern among the agriculture/applicator community that the expansion in the bill would lead to additional increases in pesticide registration fees in the future. An attempt to require future fee increases to go through the General Assembly was not supported by the Department of Agriculture, but the bill was amended in the Senate to require the Commissioner of Agriculture to consult with the Pesticide Advisory Committee about any future fee increases.

PASSED: [HB 19-1210](#): Local Government Minimum Wage

This bill, as introduced, struck down the state preemption against local governments enacting their own minimum wage. It allows for minimum wage changes through either the governing body (City Council or Board of County Commissioners) or, when available, through citizen initiative or referendum. The bill was amended due to the efforts of various business groups to specify that employees must work at least 4 hours per week, to include a tip offset for tipped workers, and to clarify that county minimum wages only apply to unincorporated areas.

Interim Committees

Newly Approved Committees:

- Zero Waste and Recycling
- Energy Legislation
- Tax Expenditure Evaluations Prepared by the Office of the State Auditor
- Investor-Owned Utility Choices
- Higher Education Costs and Affordability
- Prison Population

Previously Approved Committees:

- Early Childhood and School Readiness
- Opioid and Other Substance Use Disorders
- Pension Review
- Sales and Use Tax Simplification
- Transportation Legislation Review
- Water Resources Review
- Wildfire Matters Review

Media Summaries

Colorado Politics: [2019 General Assembly wrapup](#)

Colorado Sun: [Colorado's 2019 legislative session was a doozy](#)

Denver Post: [Colorado Democrats deliver on major changes](#)

Colorado Politics: [A look at the 2018 Colorado General Assembly – in numbers](#)

Colorado Politics: [Republicans – No gavel, but their voice was heard at the Capitol](#)

Denver Post: [18 ways the Colorado General Assembly just changed your life](#)