

2023 END OF SESSION REPORT

**TOTAL BILLS WITH A
FORMAL POSITION**

70

**TOTAL
TESTIFIED BILLS**

31

During the 120-day legislative session, lawmakers considered more than 600 pieces of legislation. The pressure to get through a legislative backlog was intense during the final weeks, and the tight timeline even brought the Senate into session on a Sunday for the first time in more than 80 years. Upon the conclusion of the legislative session, the Governor has 30 days to veto or sign bills passed at the end of the session. The Governor can also simply allow legislation to become law without his signature.

Ultimately, the session fell short of business leaders' worst nightmares and progressive legislators' biggest dreams, with some of the more consequential decisions facing the state left with interim committees, Colorado voters or pushed to the 2024 legislative session. Public policy continues to be the biggest threat to Colorado's economy and business climate, and the Chamber was extremely active this session. You can see what our priorities were below.

2023 END OF SESSION REPORT



TOP 3 HOUSING BILLS

1

(Chamber Support) Land Use Bill SB23-213:

This bill attempted to put housing under state control, but a key provision of Gov. Jared Polis' proposal was dropped in the Senate in the final weeks. This included a 39-page strike below, putting the Department of Local Affairs (DOLA) back into its role as a resource and partner to local governments, instead of making it a regulatory agency. The House added many provisions back into the bill before sending it back to the Senate, but ultimately no deal could be reached to keep the measure alive. **This bill died on the calendar in the Senate.**

2

(Chamber Oppose) Rent Control HB23-1115:

This was a contentious bill to allow local rent control laws in Colorado. The rent control measure would not have directly created any limits on rent prices, but it would have allowed city governments to pass their own rent regulations. Cities still would have had to allow rents to rise faster than inflation. **This measure was killed in a Senate committee.**

3

(Chamber Oppose) Affordable Housing Right of First Refusal HB23-1190:

This bill creates the right of first refusal, with certain exemptions, for local governments to purchase multi-unit residential properties for long-term affordable housing. Local governments would be given the right to purchase a qualifying property for an "economically substantially identical offer" to another offer that a residential seller receives. This bill would tip the scales and prevent competitive offers from being considered in favor of local governments. **This bill has been sent to Governor Polis for signature. The Chamber has requested a veto.**

2023 END OF SESSION REPORT



TOP 3 SUSTAINABILITY BILLS

1

(Chamber Oppose) Pollution Protection Measures HB23-1294:

This bill would update procedures and requirements for air quality control regulations and create a legislative interim committee. It is designed to attack severe ozone levels and to address ozone pollution from oil and gas operations and other industries. Though significantly pared down, this bill is unnecessary given the plethora of environmental policy currently in the mix. **This bill is waiting for signature from Governor Polis. The Chamber has requested a veto.**

2

(Chamber Oppose) Utility Regulation SB23-291:

This bill would change the current energy system, focused on utility providers, to prevent future spikes in energy costs from impacting customers – which the recently formed Joint Select Committee on Rising Utility Rates said were tied to the volatility in the commodity price of natural gas. The initially introduced bill was overly expansive, but the legislation was favorably amended following introduction. **This bill is waiting for signature from Governor Polis.**

3

(Chamber Support) Ozone Season Transit Grant Program HB23-1101:

This bill increases the flexibility of the ozone season transit grant program. As we strive to strategically decongest our roads, retain public transit customers, and remedy negative effects of emissions, finding incentives to increase and drive impact are extremely important. **This bill has passed and was signed into law by Governor Polis.**

2023 END OF SESSION REPORT



TOP 3 ECONOMIC COMPETITIVENESS BILLS

1

(Chamber Opposes) Equal Pay SB23-105:

Much like the Equal Pay Act of 2019, while this bill had laudable goals, it had some significant unintended consequences for businesses. While we were heartened by some provisions of SB23-105, the bill ultimately did more harm than good. The Chamber opposed this legislation because we don't believe that more regulation, hiring requirements and new penalties would help Colorado's businesses or economy. **This bill is waiting for signature from Governor Polis.**

2

(Chamber is Neutral) POWR Act SB23-172:

Among the many provisions of this proposal, the bill would repeal the current definition of "harass," which requires creation of a hostile work environment. The unintended consequences of this legislation as introduced would have caused uncertainty as new standards and judicial interpretations make their way through the court system and are implemented. But through good-faith stake holding on both sides – the bill has been significantly amended. **This bill is waiting for signature from Governor Polis.**

3

(Chamber Neutral) Additional Protections In Consumer Code HB23-1192:

As introduced, the bill would have had detrimental impacts on the Colorado business community. What was initially proposed as a reasonable update to Colorado's antitrust statute became a far-reaching and fundamental overhaul of the standards within Colorado's Consumer Protection Act (CCPA). We were seriously concerned that lowering the standards for violations while maintaining the severity of punitive action would result in a disproportionately litigious environment. However, the removal of Section 1, which attempted to rewrite the CCPA, addressed some of the major concerns of opponents. **This bill is waiting for signature from Governor Polis.**

2023 END OF SESSION REPORT

KEY TAKEAWAYS

The purpose of the Chamber highlighting our legislative session priorities is to advocate in areas we find most critical to the community we serve, and to help us identify and track bills within our outlined priorities that would impact Colorado's economy. If bills aren't thoughtfully drafted and implemented, the result will have damaging consequences for small and large businesses alike.

Our efforts involve lobbying, pushing for legislative changes through rulemaking, and working with stakeholders to promote policies that support businesses. The Chamber firmly believes that what's good for our businesses is beneficial to our community, and that the nature of the relationship between employers and employees is a collaborative one.

During the interim period before the next session, our expectation is that legislators will prioritize policy matters rather than politics in the coming months. We also anticipate that the main topic of discussion during the interim period will be revolving around the state budget.

Even though Colorado's economy is doing well in several regions, the budget is being heavily influenced by diverse Constitutional mandates that necessitate increased expenditure on K-12 education. At the same time, the state's ability to retain surplus revenue is constrained by TABOR regulations.

CHAMBERS 2023 VETO LIST:

House Bill 1171

Just Cause Requirement Eviction of Residential Tenant: The bill prohibits landlords from evicting residential tenants unless they have "just cause." The bill minimally increases state revenue and workload on an ongoing basis.

Status - This bill died on the calendar.

House Bill 1190

Affordable Housing Right of First Refusal: The bill creates the right of first refusal for local governments to purchase multi-unit residential properties for long-term affordable housing. The bill increases state and local expenditures beginning FY 2023-24.

Status – This bill is on the governor's desk.

House Bill 1294

Pollution Protection Measures: The bill updates procedures and requirements for air quality control regulations and creates a legislative interim committee. It increases state revenue and expenditures on an ongoing basis.

Status – This bill is on the governor's desk.