



Office of Government Relations Annual Report 2017

Table of Contents	Page
Office of Government Relations Overview	2
Office of Government Relations Contacts	3
State Relations	
◆ CU Initiated Legislation	4
◆ Key Higher Education Legislation	5
◆ Key Health Care Legislation	9
◆ Other Legislation	12
Federal Relations	
◆ Key Research Legislation	19
State and Federal Meetings, Events and Tours	59
Office of Government Relations Team	69



OFFICE OF GOVERNMENT RELATIONS
Overview

This annual report covers work by the Office of Government Relations from January 1 – December 31, 2017.

Mission

The mission of the Office of Government Relations is to support the University of Colorado by building effective partnerships between the University and state and federal governments. This is achieved through representation and advocacy of CU's needs and interests with state and federal elected officials in Colorado and Washington, D.C.

Goals

- Promote the University's interests at the state and federal level.
- Enhance the understanding of the role and value of CU.
- Achieve status as one of the top public university governmental relations offices in the United States.

Strategies

- 1) Maintain visibility at both the state and federal level through testimony, tours, outreach events, Hill visits, and other activities to increase contact with state and federal policy makers.
- 2) Foster relationships between the president, chancellors and designated officers of the university with members of the General Assembly, Colorado Congressional Delegation, and Executive branch of both the state and federal government.
- 3) Engage the business community, CU Advocates, and alumni to help advocate for the university's initiatives.
- 4) Request federal funding for special projects at each campus.
- 5) Lobby for increases in funding by federal agencies. The following agencies are the primary sources of research funding for CU:
 - National Science Foundation (NSF)
 - National Institutes of Health (NIH)
 - National Aeronautics and Space Administration (NASA)
 - Department of Defense (DOD)
 - Department of Energy (DOE)
 - Department of Commerce (DOC)
 - National Oceanic and Atmospheric Administration (NOAA)
 - National Institute of Space and Technology (NIST)
- 6) Educate elected officials about the university through contact with faculty, students, and administrators from all three campuses.
- 7) Provide internal communication by:
 - Holding frequent legislative strategy meetings with top university officers;
 - Providing legislative updates at all three campuses and via email to the university community; and
 - Communicating with appropriate university faculty, administrators, and students regarding specific legislation and policy issues.

OFFICE OF GOVERNMENT RELATIONS

225 E. 16th Avenue, Suite 580
Denver, Colorado 80203
Phone 303-831-6192 | Fax 303-831-9372
www.cu.edu/governmentrelations

1779 Massachusetts Avenue NW, Suite 610
Washington, DC 20036
Phone: 202-518-8702

Tanya Kelly-Bowry
Vice President
Phone: 303-831-6192
tanya.kellybowry@cu.edu

Connie Johnson
Chief of Staff
Phone: 303-831-6192
connie.johnson@cu.edu

Federal Relations:

Heather Bene
Director of Federal Relations
Phone: 202-518-8702
heather.bene@cu.edu

Natalie Ellis
Executive Assistant of Federal Relations
Phone: 303-831-9106
natalie.ellis@cu.edu

David Sprenger
Assistant Vice President of Federal
Relations
Phone: 202-577-6117
david.sprenger@cu.edu

Kent Springfield
Assistant Vice President of Research &
Federal Relations
Phone: 202-518-8703
kent.springfield@cu.edu

Jack Waldorf
Assistant Vice President of Federal
Relations & Outreach
Phone: 303-831-6385
jack.waldorf@cu.edu

State Relations:

Jerry Johnson
Contract Lobbyist for State Relations
Phone: 303-831-9295
johconsult@aol.com

Angela Rennick
Executive Assistant of State Relations
Phone: 303-831-9219
angela.rennick@cu.edu

Heather Retzko
Director of State Relations
Phone: 303-831-9295
heather.fields@cu.edu

Kirsten Schuchman
Associate Vice President of State
Relations
Phone: 303-831-9295
kirsten.schuchman@cu.edu



OFFICE OF GOVERNMENT RELATIONS
CU Initiated State Legislation

The First Regular Session of the seventieth session of the Colorado General Assembly convened on January 11, 2017 and ended on May 10, 2017.

S.B. 17-41 Higher Education Employment (Priola/Willett, Hooton)
Contract Terms

Under current law, institutions of higher education are limited in the number and length of term employment contracts or contract extensions that the institution can award. In addition, institutions are prohibited from providing postemployment compensation or benefits to a government-supported employee after the individual's employment has ended, except in limited situations and in limited amounts. Further, under current law, the terms of government-supported employment contracts are generally available for public inspection. For state institutions of higher education, the bill exempts the institution's employee positions that are funded by revenues generated through auxiliary activities, as defined in the bill, from the provisions of current law.

APPROVED by Governor March 20, 2017

EFFECTIVE August 9, 2017

S.B. 17-193 Research Center Prevention (Jahn, Lundberg/Rankin,
Substance Abuse Addiction Pettersen)

The bill establishes the center for research into substance use disorder prevention, treatment, and recovery support strategies at the university of Colorado health sciences center.

The bill makes an appropriation of \$1M to the Anschutz Medical Campus to establish the center.

APPROVED by Governor May 17, 2017

EFFECTIVE May 17, 2017

H.B. 17-1332 Teachers Nonpublic Child Care & (Bridges, Wilson/Smallwood,
Preschool Facility Fenberg)

The bill provides that the state board of education may issue an alternative teacher license to an applicant who agrees to participate fully in a one- or 2-year alternative teacher program provided by a designated agency, which may include working in a nonpublic child care facility or other preschool facility.

APPROVED by Governor May 30, 2017

EFFECTIVE August 9, 2017

APPROVED by Governor May 21, 2017

EFFECTIVE August 9, 2017

**H.B. 17-1004 College Credit for Military
Education and Training**

**(Michaelson Jenet,
Danielson/Garcia, Hill)**

The bill requires the governing board of each institution of higher education to adopt, make public, and implement a prior learning assessment policy for awarding academic credit for college-level learning acquired while in the military. The policy adopted by the governing board must require each campus to use the American Council on Education's recommendations on the joint services transcript and, at its discretion, assign appropriate credit. Further, the institutions shall provide specific guidance to active duty and veteran military members in selecting a program of study and optimizing prior learning assessment credit. Finally, the institutions shall accept in transfer from other state institutions prior learning assessment credit awarded for courses with guaranteed-transfer designation. During the 2018 legislative session, the department of higher education shall report to certain committees of the general assembly concerning the policies adopted by the institutions.

APPROVED by Governor June 1, 2017

EFFECTIVE June 1, 2017

**H.B. 17-1081 Olympic Athletes Colorado In-state
Tuition**

(Nordberg/Fenberg)

The bill allows a state-supported institution of higher education to charge in-state tuition to an athlete residing anywhere in Colorado and training in an elite level program in Colorado approved by the United States Olympic committee and the governing body of an Olympic, Paralympic, Pan American, or Parapan American sport. The bill removes the requirement in current law that athletes must be residing in Colorado Springs. This bill is permissive and implementation is subject to the discretion of the governing boards of institutions of higher education.

APPROVED by Governor April 13, 2017

EFFECTIVE August 9, 2017

**H.B. 17-1251 Reporting Requirements By Higher
Education Agencies to General
Assembly**

(Nordberg/Moreno)

Statutory Revision Committee. Pursuant to section 24-1-136 (11)(a)(I), Colorado Revised Statutes, any report that is required to be made to the general assembly by an executive agency or the judicial branch on a periodic basis expires on the day after the third anniversary of the date on which the first report was due unless the general assembly, acting by bill, continues the requirement. The bill addresses the reporting requirements of higher education agencies. Section 3 of the bill repeals a report that was scheduled to repeal according to section 24-1-136 (11)(a)(I). Currently there is no repeal date listed in the organic statute. Sections 1 through 16 of the bill amend the organic statute to continue indefinitely the reporting requirements to send a report to the general assembly notwithstanding the repeal date specified in section 24-1-136 (11)(a)(I).

APPROVED by Governor May 25, 2017

EFFECTIVE August 9, 2017

H.B. 17-1367 Authorize Marijuana Clinical Research

**(Pabon,
Arndt/Baumgardner,
Jahn)**

The bill creates a marijuana research and development license that allows the holder to possess marijuana for research purposes and a marijuana research and development cultivation license that allows the holder to grow, cultivate, possess, and transfer marijuana for research purposes. An applicant

must submit with the license application a description of the research to be conducted, and if the research involves a public entity or public money, then the scientific advisory commission shall review and assess the research project. A marijuana research and development cultivation licensee may only sell marijuana it grows to other marijuana research and development cultivation licensees. A marijuana research and development licensee or marijuana research and development cultivation licensee may contract with a public research institution of higher education or another marijuana research and development licensee. The state licensing authority may promulgate rules related to marijuana research and development licenses and marijuana research and development cultivation licenses.

The bill allows a medical marijuana testing facility licensee to test medical marijuana and medical marijuana-infused products for marijuana research and development licensees and marijuana research and development cultivation licensees, and marijuana or marijuana-infused products grown or produced by a registered patient or registered primary caregiver on behalf of a registered patient, upon verification of registration and verification that the patient is a participant in a clinical or observational study conducted by a marijuana research and development licensee or marijuana research and development cultivation licensee.

BECAME LAW June 10, 2017

PORTIONS EFFECTIVE August 9, 2017

PORTIONS EFFECTIVE January 1, 2018

***This bill does not supersede current federal regulations for research on the Schedule I controlled substance.**



OFFICE OF GOVERNMENT RELATIONS

Key State Health Care Legislation

S.B. 17-33

Delegate Dispensing Over-the-counter Medications

(Aguilar/Lawrence)

The bill allows a professional nurse to delegate to another person, after appropriate training, the dispensing authority of an over-the-counter medication to a minor with the signed consent of the minor's parent or guardian.

APPROVED by Governor March 30, 2017

EFFECTIVE August 9, 2017

S.B. 17-65

Transparency In Direct Pay Health Care Prices

(Lundberg/Lontine)

The bill creates the 'Transparency in Health Care Prices Act', which requires health care professionals and health care facilities to make available to the public the health care prices they assess directly for common health care services they provide. Health care professionals and facilities are not required to submit their health care prices to any government agency for review or approval. Additionally, the act prohibits health insurers, government agencies, or other persons or entities from penalizing a health care recipient, provider, facility, employer, or other person or entity who pays directly for health care services or otherwise exercises rights under or complies with the act. The bill takes effect January 1, 2018.

APPROVED by Governor April 6, 2017

EFFECTIVE January 1, 2018

S.B. 17-74

Create Medication-assisted Treatment Pilot Program

(Garcia/Esgar)

The bill creates the medication-assisted treatment (MAT) expansion pilot program, administered by the university of Colorado college of nursing, to expand access to medication-assisted treatment to opioid-dependent patients in Pueblo and Routt counties. The pilot program will provide grants to community- and office-based practices, behavioral health organizations, and substance abuse treatment organizations to: Assist nurse practitioners and physician assistants working in those settings to obtain training and support required under the federal 'Comprehensive Addiction and Recovery Act of 2016' (CARA) to enable them to prescribe buprenorphine and other FDA-approved medications and therapies as part of providing MAT to opioid-dependent patients; and Provide behavioral therapies in conjunction with medication as part of the provision of MAT to opioid-dependent patients. The general assembly is directed to appropriate \$500,000 per year for the 2017-18 and 2018-19 fiscal years from the marijuana tax cash fund to the University of Colorado, for allocation to the college of nursing to implement the pilot program. Each grant recipient must submit a report to the college of nursing regarding the use of the grant, and the college of nursing must submit a summarized report to the governor and the health committees of the senate and house of representatives regarding the pilot program. The pilot program is established and funded for 2 years and repeals on June 30, 2020.

APPROVED by Governor May 22, 2017

EFFECTIVE May 22, 2017

S.B. 17-88

**Participating Provider Network Selection
Criteria**

**(Holbert, Williams,
A./Van Winkle, Hooton)**

The bill requires a health insurer (carrier) to develop and use standards for: Selecting participating health care providers (providers) for its network of providers; and Tiering providers within a tiered network if the carrier offers a tiered network. A carrier cannot establish selection and tiering criteria in a manner that would allow a carrier to discriminate against high-risk populations or exclude providers that treat high-risk populations. A carrier must make its standards for selecting and tiering available to the commissioner of insurance for review, communicate the standards to providers participating in one or more of the carrier's networks, and make the standards available, in plain language, to the public. Additionally, upon request but not more often than quarterly, a carrier is required to provide a provider who is participating in one or more of its networks with a complete list of all network plans and products the carrier offers to consumers. At least 60 days before implementing a decision to terminate or place a participating provider in a tiered network, a carrier must notify the affected provider in writing of the pending action, including an explanation of the reasons for the proposed action, and inform the provider of the right to request that the carrier reconsider its decision. The bill requires the carrier to develop procedures for providers to request reconsideration and sets forth minimum requirements for, components of, and deadlines for the procedures. When a carrier does not select a provider to participate in the carrier's provider network, the carrier shall provide written notice to the provider. If the commissioner determines that a carrier has failed to comply with a requirement of the bill, the commissioner shall require the carrier to follow a corrective plan and may use enforcement powers available under the insurance laws to obtain compliance. The bill appropriates \$42,006 to the department of regulatory agencies for use by the division of insurance to implement the bill, with \$36,828 allocated for personal services and \$5,178 allocated for operating expenses and capital outlay costs.

APPROVED by Governor April 18, 2017

EFFECTIVE January 1, 2018

S.B. 17-142

Breast Density Notification Required

(Williams/Danielson)

The bill requires that each mammography report provided to a patient include information that identifies the patient's breast tissue classification based on the breast imaging reporting and data system established by the American college of radiology. If the health care facility that performed the mammography determines that a patient has dense breast tissue, the facility is required to notify the patient of the determination using specific language.

APPROVED by Governor April 6, 2017

EFFECTIVE October 1, 2017

S.B. 17-203

**Prohibit Carrier From Requiring
Alternative Drug**

**(Todd/Covarrubias,
Kennedy)**

The bill prohibits a carrier from requiring a covered person to undergo step therapy: When being treated for a terminal condition; or if the covered person has tried a step-therapy-required drug under a health benefit plan and the drug was discontinued by the manufacturer. A carrier that requires step therapy must have an override process for health care providers. 'Step therapy' is defined as a protocol that requires a covered person to use a prescription drug or sequence of prescription drugs, other than the drug that the covered person's health care provider recommends for the covered person's treatment, before the carrier provides coverage for the recommended drug.

APPROVED by Governor June 2, 2017

EFFECTIVE September 1, 2017

H.B. 17-1057

Interstate Physical Therapy Licensure Compact

(Winter, Liston/Gardner, Kerr)

The bill enacts the 'Interstate Physical Therapy Licensure Compact Act' that allows physical therapists and physical therapist assistants licensed or certified in a compact member state to obtain a license or certificate to practice physical therapy in Colorado. The bill authorizes the physical therapy board to obtain fingerprints from applicants for a license or certification for the purposes of a fingerprint-based criminal history record check. The compact requires that the physical therapy board participate in the compact's data system and notify the compact commission of any adverse action taken by the board. Physical therapists and physical therapy assistants are subject to the requirements of the 'Michael Skolnik Medical Transparency Act of 2010'.

\$12,386 is appropriated to the department of regulatory agencies for use by the division of professions and occupations for implementation of the bill

APPROVED by Governor May 10, 2017

EFFECTIVE May 10, 2017

H.B. 17-1094

Telehealth Coverage Under Health Benefit Plans

(Buck, Valdez/Crowder, Donovan)

Under current law, health benefit plans are required to cover health care services delivered to a covered person by a provider via telehealth in the same manner that the plan covers health care services delivered by a provider in person. The bill clarifies that: A health plan cannot restrict or deny coverage of telehealth services based on the communication technology or application used to deliver the telehealth services; The availability of telehealth services does not change a carrier's obligation to contract with providers available in the community to provide in-person services; A covered person may receive telehealth services from a private residence, but the carrier is not required to pay or reimburse for any transmission costs or originating site fees the covered person incurs; A carrier is to apply the applicable copayment, coinsurance, or deductible amount to health care services a covered person receives through telehealth, which amount cannot exceed the amount applicable to those health care services when delivered through in-person care; and Telehealth includes health care services provided through HIPAA-compliant audio-visual communication or the use of a HIPAA-compliant application via a cellular telephone but does not include voice-only telephone communication or text messaging.

APPROVED by Governor March 16, 2017

EFFECTIVE March 16, 2017

H.B. 17-1173

Health Care Providers and Carriers Contracts

(Hansen/Neville, T)

The bill requires a contract between a health insurance carrier (carrier) and a health provider (provider) to include a provision that prohibits a carrier from taking an adverse action against the provider due to a provider's disagreement with a carrier's decision on the provision of health care services. Current law requires the contract to state that the carrier cannot terminate the contract for these same reasons.

The bill also requires the contract to contain provisions that prohibit a carrier from: Taking adverse actions for communicating with public officials on health care issues; filing complaints or reporting to public officials about conduct by a carrier that might negatively affect patient care; provides information in a forum concerning the required contract provisions; reporting alleged carrier violations; or participating in an investigation of an alleged violation

APPROVED by Governor April 6, 2017

EFFECTIVE July 1, 2017

S.B. 17-40

Public Access to Government Files

(Kefalas/Pabon)

Section 1 of the bill adds a legislative declaration. Section 4 of the bill modifies the 'Colorado Open Records Act' (CORA) by creating new procedures governing the inspection of public records that are stored as structured data. Section 2 defines key terms including 'structured data', which the bill defines as digital data that is stored in a fixed field within a record or file that is capable of being automatically read, processed, or manipulated by a computer. Section 2 of the bill provides a definition of the term 'infrastructure security data'. Section 2 also specifies that, for purpose of the definition of 'public records in CORA, the terms 'state' and 'agency' include the judicial department of state government. If the custodian has made the requested records publicly available in a structured data format, section 3 of the bill allows the custodian to satisfy the request by redirecting the requester, in writing and in detail, to the location of the records. If public records are stored as structured data, section 4 requires the custodian of the public records to provide an accurate copy of the public records in a structured data format when requested. If public records are not stored as structured data but are stored in an electronic or digital form and are searchable in their native format, the custodian is required to provide a copy of the public records in a format that is searchable when requested. Section 4 specifies the circumstances that exempt the custodian from having to produce records in a searchable or structured data format. If a custodian is not able to comply with a request to produce public records that are subject to disclosure in a requested format, the custodian is required to produce the records in an alternate format or issue a denial and to provide a written declaration attesting to the reasons the custodian is not able to produce the records in the requested format. If a court subsequently rules the custodian should have provided the data in the requested format attorney fees may be awarded only if the custodian's action was arbitrary or capricious. Nothing in the bill requires a custodian to produce records in their native format or to release metadata. When a custodian produces records in a searchable or structured format, the choice of format is in the sole discretion of the custodian. Section 4 also clarifies that the bill does not relieve or mitigate the obligations of a custodian to produce records in a format accessible to individuals with disabilities in accordance with Title II of the federal 'Americans with Disabilities Act', and other federal or state laws. Section 5 of the bill adds as an additional ground that a custodian has for disallowing the inspection of public records that the inspection seeks access to infrastructure security data. This section of the bill also permits the custodian to deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest: Software programs; network and systems architectural designs; source code; source documentation; information in tangible or intangible form relating to released and unreleased software or hardware, database design structures, database schema and architecture, security structures and architecture, and data stored in support structures; agency original design ideas; nonpublic business policies and practices relating to software development and use; and the terms and conditions of any actual or proposed license agreement or other agreement concerning the products and licensing negotiations. The bill permits any public employee, or former public employee, of any branch or level of government, to request that his or her home address, personal telephone number, or other similar personal identifying or location information be withheld from the production of any public records produced in a structured data or searchable format by presenting to any custodian of such public records a written declaration signed by the employee attesting that disclosure of the personal identifying or location information poses a credible risk to the health, welfare, safety, or security of the employee or to any member of the employee's family or household. Upon receipt of a signed declaration meeting the bill's requirements or a declaration containing the same information that has been executed by a federal law enforcement

agency, POST certified law enforcement official, or a judicial officer, the custodian of any public records produced in a structured data or searchable format is required to either deny the inspection of such public records or redact from any such public records provided to any requester in a structured data or searchable format the employee's personal identifying or location information. The bill prohibits any claim of any kind from being asserted against either any records custodian or any agency of government that is premised on the failure of the custodian or the agency to comply with these requirements of the bill. If the custodian denies access to any record on the grounds that the record contains infrastructure security data, the bill requires the custodian to forthwith furnish the applicant with a written statement specifying why the requested record is infrastructure security data. At the same time, the custodian is also required to provide copies of the written statement to the attorney general of the state and also to the division of homeland security and emergency management within the department of public safety. The applicant may apply to state district court for a determination that the requested record is in fact a public record and does not satisfy the definition of infrastructure security data. In such legal action, the applicant bears the burden of proof. Section 5 also expands the grounds permitting the filing of a civil action seeking inspection of a public record to include an allegation of a violation of the digital format provisions in the bill or a violation of record transmission provisions specified in CORA. This section also specifies that altering an existing record, or excising fields of information, to remove information that the custodian is required or allowed to withhold does not constitute the creation of a new public record. Such alteration or excision may be subject to a research and retrieval fee or a fee for the programming of data as allowed under existing provisions of CORA. Section 6 modifies CORA provisions governing the copy, printout, or photograph of a public record and the imposition of a research and retrieval fee. Among these modifications: The bill deletes existing statutory language permitting the custodian to charge the same fee for services rendered in supervising the copying, printing out, or photographing of a public record as the custodian may charge for furnishing a copy, printout, or photograph; The bill replaces a reference in the statute to the phrase 'manipulation of data' with the phrase 'programming, coding, or custom search queries so as to convert a record into a structured data or searchable format'; In connection with determining the amount of the fee for a paper or electronic copy of a public record, the bill specifies that, if a custodian performs programming, coding, or custom search queries to create a public record, the fee for a paper or electronic copy of that record may be based on recovery of the actual or incremental costs of performing the programming, coding, or custom search queries, together with a reasonable portion of the costs associated with building and maintaining the information systems; and When a person makes a request to inspect or make copies or images of original public records, the bill permits the custodian to charge a fee for the time required for the custodian to supervise the handling of the records, when such supervision is necessary to protect the integrity or security of the original records. Section 7 repeals the existing criminal misdemeanor offense and penalty for a willful and knowing violation of CORA. Section 8 of the bill appropriates \$50,810 to the judicial department for the 2017-18 state fiscal year from the general fund. This section of the bill also appropriates \$855 to the department of law for the 2017-18 state fiscal year. This latter appropriation is from reappropriated funds received from the office of the state public defender in the judicial department. To implement the bill, the department of law is permitted to use this appropriation to provide legal services for the office of the state public defender in the judicial department.

APPROVED by Governor June 1, 2017

EFFECTIVE August 9, 2017

S.B. 17-154 **Uniform Unsworn Declarations Act Include** **(Gardner/Wist)**
Domestic

Colorado Commission on Uniform State Laws. Colorado has adopted the 'Uniform Unsworn Foreign Declarations Act', which allows the use of foreign unsworn declarations.. The bill expands the uniform law to include domestic unsworn declarations as contemplated by the 'Uniform Unsworn Declarations Act' and clarifies that the act applies only to the use of unsworn declarations in state courts.

APPROVED by Governor April 13, 2017

EFFECTIVE August 9, 2017

S.B. 17-192 **Marijuana Business Efficiency Measures** **(Neville, T./Singer,**
Melton)

The bill allows the state licensing authority to authorize single-instance transfers of retail marijuana or retail marijuana products from a retail marijuana licensee to a medical marijuana licensee. If granted, the transfer must be completed within 30 days of the date the transfer was approved. A retail marijuana license that is subject to suspension is not eligible for the transfer and any retail marijuana or retail marijuana product that is subject to an administrative hold is not eligible for transfer.

Under current law, the department of revenue determines the average market rate for purposes of excise tax collection on retail marijuana every 6 months. The bill gives the department the authority to calculate the average market rate on a quarterly basis. The average market rate cannot include taxes paid on sales or transfers. The bill requires a separate average market rate for unprocessed marijuana for extraction that is lower than the average market rate for unprocessed marijuana for direct sale. The bill states that the average market rate should be used to calculate the state excise tax on affiliated transactions, and the contract price should be used to calculate the excise tax on unaffiliated transactions. The bill clarifies that the average market rate will be used to calculate the excise tax on all county, municipal, or metropolitan district transactions.

APPROVED by Governor June 2, 2017

EFFECTIVE August 9, 2017

S.B. 17-254 **2017-18 Long Appropriations Bill** **(Lambert/Hammer)**

Provides for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2017, except as otherwise noted.

APPROVED by Governor May 26, 2017

EFFECTIVE May 26, 2017

S.B. 17-267 **Sustainability of Rural Colorado** **(Guzman, Sonnenberg/Becker,**
J., Becker, K.)

Section 16 of the bill repeals the existing hospital provider fee program, effective July 1, 2017, and section 17 creates a new Colorado healthcare affordability and sustainability enterprise (CHASE) within the department of health care policy and financing (HCPF), effective July 1, 2017, to charge and collect a healthcare affordability and sustainability fee that functions similarly to the repealed hospital provider fee. Because CHASE is an enterprise for purposes of the Taxpayer's Bill of Rights (TABOR), its revenue does not count against the state fiscal year spending limit (Referendum C cap). Section 17 of the bill also requires CHASE to seek any federal waiver necessary to fund and, in cooperation with HCPF and hospitals, support the implementation, no earlier than October 1, 2019, of a health care delivery system reform incentive payments program. Sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 make conforming amendments, with section 32 extensively modifying FY 2017-18 appropriations to reflect the repeal of the hospital provider fee program and the creation of CHASE. Section 34 specifies that the effective date of sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of the bill is July 1, 2017, and that

those sections do not take effect if the centers for medicare and medicaid services determine that they do not comply with federal law. Section 11 of the bill permanently reduces the Referendum C cap by reducing the FY 2017-18 cap by \$200 million and specifying that the base amount for calculating the cap for all future state fiscal years is the reduced FY 2017-18 cap. As is the case under current law, the reduced cap is annually adjusted for inflation, the percentage change in state population, the qualification or disqualification of enterprises, and debt service changes. Section 24 of the bill specifies that for any state fiscal year commencing on or after July 1, 2017, for which revenue in excess of the reduced Referendum C cap is required to be refunded in accordance with TABOR, reimbursement for the property tax exemptions for qualifying seniors and disabled veterans that is paid by the state to local governments for the property tax year that commenced during the state fiscal year is a refund of such excess state revenue. The exemptions continue to be allowed at current levels and the state continues to reimburse local governments for local property tax revenue lost as a result of the exemptions regardless of whether or not there are excess state revenues. Section 27 prioritizes the new TABOR refund mechanism ahead of the existing temporary state income tax rate reduction refund mechanism as the first mechanism used to refund excess state revenue. Section 12 of the bill requires the state, on or after July 1, 2018, to execute lease-purchase agreements, including associated certificates of participation (COPs), for up to \$2 billion of eligible facilities identified collaboratively by the state architect, the office of state planning and budgeting (OSPB), and state institutions of higher education for the purpose of generating funding for capital construction projects and transportation projects. The lease-purchase agreements must be issued in increments of up to \$500 million in FYs 2018-19, 2019-20, 2020-21, and 2021-22. The first \$120 million of lease-purchase agreement proceeds from the FY 2018-19 issuance must be used to fund capital construction projects with most of that amount being dedicated for funding of level I, II, and III controlled maintenance projects. The first \$120 million of lease-purchase agreement proceeds from the FY 2019-20 issuance must be used for capital construction projects as prioritized by the capital development committee. Remaining proceeds are credited to the state highway fund and are required by section 31 to be expended to fund state strategic transportation project investment program projects that are designated for tier 1 funding as 10-year development program projects on the department's development program project list, with at least 25% of such proceeds being expended to fund projects that are located in rural counties. At least 10% of such proceeds must be expended for transit purposes or for transit-related capital improvements. The maximum term of the lease-purchase agreements is 20 years, and the maximum total annual repayment amount for lease-purchase agreements is \$150 million. Lease-purchase agreements must be paid, subject to annual appropriation by the general assembly or annual allocation by the transportation commission, first from up to \$9 million from the general fund or any other legally available source of money, next from up to \$50 million of legally available money under the control of the transportation commission solely for the purpose of allowing the construction, supervision, and maintenance of state highways to be funded with the proceeds of lease-purchase agreements, and last from up to \$85 million from the general fund or any other legally available source of money. Sections 5 and 8 of the bill specify that an academic facility is not eligible for controlled maintenance funding if it is acquired or constructed, or, if it is an auxiliary facility repurposed for use as an academic facility, solely from a state institution of higher education's cash and operated and maintained from such cash funds and if the acceptance of construction or repurposing occurs on or after July 1, 2018. Section 29 of the bill, in accordance with previously granted voter approval, increases the rate of the retail marijuana sales tax, which is currently 10% and is scheduled under current law to decrease to 8%, to 15%, effective July 1, 2017. Section 30 holds local governments that currently receive an allocation of 15% of state retail marijuana sales tax revenue based on the current tax rate of 10% (i.e. the amount attributable to a 1.5% tax rate) harmless by specifying that on and after July 1, 2017, they receive an allocation of 10% of state retail marijuana sales tax revenue based on the new rate of 15% (i.e., the same amount attributable to a 1.5% tax rate). Of the 90% of the state retail marijuana sales tax revenue that the state retains for state FY 2017-18: 28.15% less \$30 million

stays in the general fund; 71.85% is credited to the marijuana tax cash fund; and \$30 million is credited to the state public school fund and distributed to rural school districts as specified in section 4. Of the 90% of the state retail marijuana sales tax revenue that the state retains for state fiscal year 2018-19 and for each succeeding state fiscal year: 15.56% stays in the general fund; 71.85% is credited to the marijuana tax cash fund; and 12.59% is credited to the state public school fund and distributed to all school districts as specified in section 4. Section 4 of the bill requires the \$30 million of state retail marijuana sales tax revenue that is transferred to the state public school fund for FY 2017-18 to be appropriated to the department of education and allocated 55% to large rural school districts and 45% to small rural school districts and then distributed to the large and small rural school districts on a per pupil basis. Section 4 requires all of the state retail marijuana sales tax revenue that is transferred to the state public school fund for FY 2018-19 and for each subsequent fiscal year to be distributed to all school districts and institute charter schools as part of the state share of total program funding. On and after July 1, 2017, section 28 offsets a portion of the state retail marijuana sales tax rate increase by exempting retail sales of marijuana upon which the state retail marijuana sales tax is imposed from the 2.9% general state sales tax and section 23 makes a conforming amendment to ensure that local governments can continue to impose their local general sales taxes on retail sales of marijuana. Section 9 of the bill requires each principal department of state government, other than the departments of education and transportation, that submits an annual budget request to the OSPB, when submitting its budget request for FY 2018-19 to the OSPB, to request a total budget for the department that is at least 2% lower than its actual budget for the FY 2017-18. The OSPB must strongly consider the budget reduction proposals made by each principal department when preparing the annual executive budget proposals to the general assembly for the governor and must seek to ensure that the executive budget proposal for each department for FY 2018-19 is at least 2% lower than the department's actual budget for FY 2017-18. Section 10 of the bill eliminates FY 2018-19 and FY 2019-20 general fund transfers to the highway user tax fund required by current law. The eliminated transfers are in the amounts of \$160 million on June 30, 2019, and \$160 million on June 30, 2020. Section 14 of the bill specifies that on and after January 1, 2018, for pharmacy and for hospital outpatient services, including urgent care centers and facilities and emergency services provided under the 'Colorado Medical Assistance Act', HCPF rules that specify the amount of copayments for such services must require the recipient to pay: For pharmacy, at least double the average amount paid by recipients in state fiscal year 2015-16; or For hospital outpatient services, at least double the amount required to be paid as specified in the rules as of January 1, 2017; except that For both pharmacy and hospital outpatient services, the amount required to be paid by the recipient may not exceed any specified maximum dollar amount allowed by federal law or regulations as of January 1, 2017. Section 21 of the bill requires HCPF, within 120 days of the enactment of the federal 'Advancing Care for Exceptional Kids Act' (ACE Kids Act) and subject to available appropriations, to seek any federal approval necessary to fund, in cooperation with hospitals that meet the specified requirements, the implementation of an enhanced pediatric health home for children with complex medical conditions. HCPF must comply with ACE Kids Act requirements for its participation. Section 25 of the bill terminates an existing temporary income tax credit for business personal property taxes paid that is available only for income tax years commencing before January 1, 2020, one year early so that it is available only for income tax years commencing before January 1, 2019. Section 26 replaces the terminated temporary credit with a more generous permanent income tax credit for business personal property taxes paid on up to \$18,000 of the total actual value of a taxpayer's business personal property. Section 1 of the bill makes a legislative declaration that all provisions of Senate Bill 17-267 relate to and serve and are necessarily and properly connected to the General Assembly's purpose of ensuring and perpetuating the sustainability of rural Colorado.

APPROVED by Governor May 30, 2017

EFFECTIVE Unless the Centers for Medicare and Medicaid Services determine that they do not comply with federal law, the portions of the bill that create the Colorado Healthcare Affordability and

Sustainability Enterprise, adjust the Referendum C cap, repeal SB17-256, and make corresponding appropriations take effect on July 1, 2017. The remainder of the bill takes effect upon signature of the Governor, or upon becoming law without his signature.

H.B. 17-1070 Study Drone Use By Public Safety Agencies (Wilson/Donovan, Coram)

The bill requires the center of excellence (center) within the division of fire prevention and control within the department of public safety (department), upon receiving sufficient money in the form of gifts, grants, and donations, to conduct a study concerning the integration of unmanned aircraft systems (UAS) within state and local government operations that relate to certain public-safety functions (study). At a minimum, the study must: Identify the most feasible and readily available ways to integrate UAS technology within local and state government functions relating to firefighting, search and rescue, accident reconstruction, and emergency management; and Include consideration of privacy concerns, costs, and timeliness of deployment. The bill also creates, upon receipt of sufficient money in the form of gifts, grants, and donations, a UAS pilot program (pilot program) to integrate UAS within state and local government operations that relate to certain public-safety functions. The bill requires the center to operate the pilot program. Not later than one month after completing the study, the center shall submit a report to the wildfire matters review committee and to the judiciary committees of the house of representatives and senate, or to any successor committees. The report must address each item of the center's study, as well as the results of the pilot program. The bill adds the study and the pilot program as permissible uses of money from the existing Colorado firefighting air corps fund.

APPROVED by Governor June 5, 2017

EFFECTIVE June 5, 2017

H.B. 17-1177 Mediation For Disputes Arising Under CORA Colorado Open Records Act (Wist, Garnett/Cooke)

Under current law, any person denied the right to inspect any record covered by the 'Colorado Open Records Act' (CORA) may apply to the district court of the district wherein the record is found for an order directing the custodian of such record to show cause why the custodian should not permit the inspection of such record; except that, at least 3 business days prior to filing an application with the district court, the person who has been denied the right to inspect the record is required to file a written notice with the custodian who has denied the right to inspect the record informing the custodian that the person intends to file an application with the district court. The bill changes this deadline from 3 days to 14 days.

During the 14-day period before the person may file an application with the district court, the bill requires the custodian who has denied the right to inspect the record to either meet in person or communicate on the telephone with the person who has been denied access to the record to determine if the dispute may be resolved without filing an application with the district court. The meeting may include recourse to any method of dispute resolution that is agreeable to both parties. The bill requires any common expense necessary to resolve the dispute to be apportioned equally between or among the parties unless the parties have agreed to a different method of allocating the costs between or among them. If the person who has been denied access to inspect a record states in the required written notice to the custodian that the person needs to pursue access to the record on an expedited basis, the bill requires the person to provide such written notice, including a factual basis of the expedited need for the record, to the custodian at least 3 business days prior to the date on which the person files the application with the district court. In such circumstances, no meeting to determine if the dispute may be resolved without filing an application with the district court is required.

APPROVED by Governor May 4, 2017

EFFECTIVE August 9, 2017

[H.B. 17-1229](#)

**Workers' Compensation For Mental
Impairment**

**(Singer, Becker,
J./Cooke, Todd)**

The bill adds the definitions 'psychologically traumatic event' and 'serious bodily injury' to the workers' compensation statutes for the purposes of clarifying a worker's right to compensation for any claim of mental impairment.

APPROVED by Governor June 5, 2017

EFFECTIVE July 1, 2018



OFFICE OF GOVERNMENT RELATIONS

Key Research Federal Legislation

115th Congress, 1st Session

H.R. 4508

PROSPER Act

(Foxx)

Expressed concerns with this Act.

Status: 2/08/2018 Placed on the Union Calendar, Calendar No. 413.

A summary is in progress.

S. 141

**Space Weather Research and Forecasting
Act**

(Peters)

Expressed support of this bill.

Status: 05/23/2017 Referred to the Subcommittee on Strategic Forces.

Shown Here:

Passed Senate amended (05/02/2017)

(This measure has not been amended since it was reported to the Senate on March 30, 2017. The summary of that version is repeated here.)

Space Weather Research and Forecasting Act

(Sec. 2) This bill directs the Office of Science and Technology Policy (OSTP) to:

coordinate the development and implementation of federal government activities to improve the nation's ability to prepare, avoid, mitigate, respond to, and recover from potentially devastating impacts of space weather events; and

coordinate the activities of the Space Weather Interagency Working Group, which shall be established by the National Science and Technology Council to continue coordination of executive branch efforts to understand, prepare, coordinate, and plan for space weather.

In order to understand and respond to the adverse effects of space weather, the working group shall leverage capabilities across participating federal agencies.

It is the sense of Congress that the interagency collaboration between the National Aeronautics and Space Administration (NASA) and the National Oceanic and Atmospheric Administration (NOAA) on terrestrial weather observations provides:

an effective mechanism for improving weather and climate data collection while avoiding unnecessary duplication of capabilities across federal agencies, and

an agency collaboration model that could benefit space weather observations.

NASA and NOAA shall enter into at least one interagency agreement that provides for cooperation and collaboration in the development of space weather spacecraft, instruments, and technologies.

It is U.S. policy to establish and sustain a baseline capability for space weather observations.

The OSTP, in coordination with NOAA, NASA, the National Science Foundation (NSF), and the Department of Defense (DOD), shall develop an integrated strategy for solar and solar wind observations beyond the lifetime of current assets that considers the provision of:

solar wind measurements and other measurements essential to space weather forecasting, and solar and space weather measurements important for scientific purposes.

In developing such strategy, the OSTP shall consider small satellite options, hosted payloads, commercial options, international options, and prize authority.

In order to sustain current space-based observational capabilities, NASA shall:

in cooperation with the European Space Agency, maintain operations of the Solar and Heliospheric Observatory/Large Angle and Spectrometric Coronagraph (SOHO/LASCO) for as long as it continues to deliver quality observations, and

prioritize the reception of LASCO data.

NOAA shall secure reliable secondary capability for near real-time coronal mass ejection imagery.

NOAA, in coordination with DOD and NASA, shall develop options to build and deploy one or more instruments for near real-time coronal mass ejection imagery.

In developing such options, NOAA shall consider commercial solutions, prize authority, academic and international partnerships, microsattelites, ground-based instruments, and opportunities to deploy the instrument or instruments as a secondary payload on an upcoming planned launch.

In securing reliable secondary capability for near real-time coronal mass ejection imagery, NOAA shall make it a priority to achieve a cost-effective solution.

NOAA shall develop an operational contingency plan to provide continuous space weather forecasting in the event of a SOHO/LASCO failure.

Within 120 days of the enactment of this bill, NOAA shall brief Congress on the options for building and deploying the instrument or instruments and the operational contingency plan.

S 141 Space Weather Research and Forecasting Act, continued

NOAA, in coordination with DOD, shall develop requirements and a plan for follow-on space-based observations for operational purposes.

The OSTP shall report to Congress on the integrated strategy, including the plans for follow-on space-based observations.

The NSF the Air Force, and where practicable in support of the Air Force, the Navy shall each:

maintain and improve, as necessary and advisable, ground-based observations of the sun; and

provide space weather data by means of ground-based facilities, including radars, lidars, magnetometers, radio receivers, aurora and airglow imagers, spectrometers, interferometers, and solar observatories.

The NSF shall:

provide key data streams from such platforms for research and to support space weather model development,

develop experimental models for scientific purposes, and

support the transition of such models to operations where appropriate.

NOAA, the Air Force, and where practicable in support of the Air Force, the Navy, in conjunction with other relevant federal agencies, shall conduct a survey to identify and prioritize the needs of space weather forecast users, including space weather data and space weather forecast data needed to improve services and inform research priorities and technology needs.

NOAA, the Air Force, and where practicable in support of the Air Force, the Navy, shall:

make the survey's results publicly available; and

notify Congress of making those results available to the public.

The NSF, NASA, and DOD shall continue to carry out basic research activities on heliophysics, geospace science, and space weather and support competitive, merit-based, peer-reviewed proposals for research, modeling, and monitoring of space weather and its impacts, including science goals outlined in Solar and Space Physics Decadal surveys conducted by the National Academy of Sciences (NAS).

The NSF, NOAA, and NASA shall pursue multidisciplinary research in subjects that further our understanding of solar physics, space physics, and space weather.

It is the sense of Congress that NASA and the NSF should support competitively awarded Heliophysics Science Centers.

NASA shall seek to implement missions meeting science objectives identified in NAS Solar and Space Physics Decadal surveys.

S 141 Space Weather Research and Forecasting Act, continued

NASA, the NSF, NOAA, and the Air Force, and where practicable in support of the Air Force, the Navy shall:

develop a mechanism to transition NASA, NSF, Air Force, and Navy research findings, models, and capabilities to NOAA and DOD space weather operational forecasting centers; and

enhance coordination between research modeling centers and forecasting centers.

NOAA and DOD, in coordination with NASA and the NSF, shall develop a mechanism to communicate the operational needs of space weather forecasters to the research community.

NASA and the NSF shall support the development of technologies and instrumentation to improve space weather forecasting lead-time and accuracy to meet needs identified by NOAA.

NASA and the NSF shall:

make space weather related data obtained for scientific research available to space weather forecasters and operations centers, and

support model development and applications to space weather forecasting.

NOAA shall make space weather related data obtained from operational forecasting available for scientific research.

The provisions relating to space weather under the National Aeronautics and Space Administration Authorization Act of 2010 are repealed.

(Sec. 3) The Space Weather Interagency Working Group shall:

assess existing data, the historical record, models, and peer-reviewed studies on space weather; and

develop preliminary benchmarks for measuring solar disturbances.

Within 18 months of the development of the preliminary benchmarks, the working group shall publish final benchmarks and NASA shall contract with the NAS to review them.

The working group shall update and revise the final benchmarks as necessary, based on:

the results of the review by the NAS,

any significant new data or advances in scientific understanding that become available, or

the evolving needs of entities impacted by solar disturbances.

(Sec. 4) NOAA shall inform the Department of Homeland Security (DHS) about space weather hazards to protect national critical infrastructure from space weather events.

DHS shall:

include, in meeting national critical infrastructure reporting requirements, an assessment of the vulnerability of such infrastructure to space weather events; and

support critical infrastructure providers in managing the risks and impacts associated with space weather.

(Sec. 5) The National Security Council shall:

assess the vulnerability of the national security community to space weather events, and

develop mechanisms to protect national security assets from space weather threats.

DOD shall inform the National Security Council, the Director of National Intelligence, and the heads of the defense agencies about space weather hazards for purposes of the protection of those assets.

(Sec. 6) The Federal Aviation Administration (FAA) shall assess:

the safety implications and vulnerability of the national airspace system by space weather events;

methods to mitigate the safety implications and effects of space weather on aviation communication systems, aircraft navigation systems, satellite and ground-based navigation systems, and potential health effects of radiation exposure; and

options for incorporating space weather into operational training for pilots, cabin crews, dispatchers, air traffic controllers, meteorologists, and engineers.

The FAA shall develop methods to increase the interaction between the aviation community and the space weather research and service provider community.

H.R. 3086

**Space Weather Research and Forecasting
Act**

(Perlmutter)

Advocated in favor of this bill.

Status: 05/22/2018 Referred to the Subcommittee on Space.

Shown Here:

Introduced in House (06/27/2017)

Space Weather Research and Forecasting Act

This bill directs the Office of Science and Technology Policy to: coordinate the development and implementation of federal government activities to improve the nation's ability to prepare, avoid, mitigate, respond to, and recover from potentially devastating impacts of space weather event

coordinate the activities of an interagency working group on space weather to be established by the National Science and Technology Council to continue coordination of executive branch efforts to understand, prepare, coordinate, and plan for space weather; and develop an integrated strategy for space and ground-based space weather observation

The National Aeronautics and Space Administration (NASA) and the National Oceanic and Atmospheric Administration (NOAA) shall enter interagency agreements providing for cooperation and collaboration in the development of space weather spacecraft, instruments, and technologies and in the transition of research to operations.

NASA shall: (1) maintain operations of the Solar and Heliospheric Observatory/Large Angle and Spectrometric Coronagraph (SOHO/LASCO) for as long as the satellite continues to deliver quality observations; and (2) prioritize the reception of LASCO data.

NOAA shall: (1) secure reliable secondary capability for near real-time coronal mass ejection imagery; and (2) develop requirements and a plan for follow-on space-based observations for operational purposes.

The National Science Foundation (NSF), the Air Force, and the Navy shall each: (1) maintain and improve ground-based observations of the Sun, and (2) provide space weather data by means of ground-based facilities.

NOAA, the Air Force, and the Navy shall conduct a survey to prioritize the needs of space weather forecast users.

The NSF, NASA, and the Department of Defense (DOD) shall continue to carry out basic research activities on heliophysics, geospace science, and space weather and support merit-based proposals for research, modeling, and monitoring of space weather and its impacts.

The NSF and NOAA shall support basic research activities in the social, behavioral, and economic sciences that will lead to improving national preparedness and encouraging mitigation and protection measures before a space weather event.

The NSF, NOAA, and NASA shall pursue multidisciplinary research in subjects that further our understanding of solar physics, space physics, and space weather.

NASA shall seek to implement missions meeting science objectives identified in National Academy of Sciences (NAS) Solar and Space Physics Decadal surveys.

NASA, the NSF, NOAA, the Air Force, and the Navy shall: (1) develop a mechanism to transition NASA, NSF, Air Force, and Navy research findings, research needs, models, and capabilities to NOAA and DOD space weather operational forecasting centers; and (2) enhance coordination between research modeling centers and forecasting centers.

NASA and the NSF shall: (1) make space weather related data obtained for scientific research available to space weather forecasters and operations centers, and (2) support model development and applications to space weather forecasting.

NOAA shall arrange with the NAS to establish a Space Weather Government-Industry-University Roundtable to facilitate communication and knowledge transfer among government participants in the Space Weather Interagency Group, industry, and academia to facilitate advances in space weather prediction and forecasting, help enable the two-way coordination of research and operations, and improve preparedness for potential space weather events. The space weather interagency working group shall develop benchmarks for measuring solar disturbances.

NOAA shall inform the Department of Homeland Security about space weather hazards to protect national critical infrastructure from space weather events.

The National Security Council shall develop mechanisms to protect national security assets from space weather threats.

The Federal Aviation Administration (FAA) shall: (1) assess the safety implications and vulnerability of the nation's airspace system by space weather events, and (2) develop methods to increase the interaction between the aviation community and the space weather research and service provider community.

H.R. 1 **An Act to provide for reconciliation** **(Brady)**
pursuant to titles II and V of the concurrent
resolution on the budget for fiscal year
2018.

Advocated against select provisions in this bill (elimination of student loan and graduate student provisions, elimination of bond financing options, elimination of charitable deductions for seat licensing fees, and increased regulatory burden for costs associated with income derived from non-academic activities).

Status: 12/22/2017 Became Public Law No. 115-97

Shown Here:

Public Law No: 115-97 (12/22/2017)

(This measure has not been amended since the House agreed to the Senate amendment without amendment on December 20, 2017. The summary of that version is repeated here.)

This bill amends the Internal Revenue Code (IRC) to reduce tax rates and modify policies, credits, and deductions for individuals and businesses. It also establishes an oil and gas leasing program for the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) in Alaska.

(Unless otherwise specified, provisions referred to in this summary as temporary or as a suspension of an existing provision apply for taxable years beginning after December 31, 2017, and before January 1, 2026.)

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

TITLE I

Subtitle A-- Individual Tax Reform

Part I--Tax Rate Reform(Sec. 11001) This section temporarily replaces the existing tax brackets (10%, 15%, 25%, 28%, 33%, 35%, and 39.6%) with new brackets (10%, 12%, 22%, 24%, 32%, 35% , 37%) and specifies the income levels that apply for each bracket.

The bill also: (1) modifies the taxation of the unearned income of children, and (2) requires the Department of the Treasury to promulgate due diligence requirements for paid preparers in determining eligibility for a taxpayer to file as a head of household.

(Sec. 11002) This section requires the chained Consumer Price Index to be used to index the brackets for inflation.

Part II--Deduction For Qualified Business Income Of Pass-Thru Entities

(Sec. 11011) This section temporarily allows an individual taxpayer to deduct 20% of qualified business income (i.e., business income of an individual from a partnership, S corporation, or sole proprietorship which is currently taxed using individual income tax rates), including aggregate qualified Real Estate Investment Trust (REIT) dividends, qualified cooperative dividends, and qualified publicly traded partnership income.

The bill specifies formulas for determining the taxpayer's deduction for qualified business income and for determining the deduction for certain agricultural or horticultural cooperatives.

The deduction applies to taxable income, is not used to calculate adjusted gross income (AGI), and is available to taxpayers who do not itemize deductions. Trusts and estates are eligible for the deduction.

The bill phases in a limitation for the deduction when wages exceed \$157,500 (\$315,000 in the case of a joint return). The bill also phases in a disallowance of the deduction when taxable income with respect to specified service trades or businesses exceeds the limits. The limits are fully phased in when taxable income exceeds the threshold amounts by \$50,000 (\$100,000 for joint returns).

A "specified service trade or business" is any trade or business involving the performance of services in the fields of health, law, consulting, athletics, financial services, brokerage services, or any trade or business where the principal asset of such trade or business is the reputation or skill of one or more of its employees or owners, or which involves the performance of services that consist of investing and investment management trading, or dealing in securities, partnership interests, or commodities. The term excludes engineering and architecture services.

(Sec. 11012) This section temporarily prohibits taxpayers other than corporations from claiming excess business losses.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

An excess business loss for the taxable year is the excess of aggregate deductions of the taxpayer attributable to trades or businesses of the taxpayer (determined without regard to the limitation of the provision), over the sum of aggregate gross income or gain of the taxpayer plus \$250,000 (200% of the amount in the case of a joint return). The threshold amount is indexed for inflation after 2018.

In the case of a partnership or S corporation, the provision applies at the partner or shareholder level. Each partner's distributive share and each S corporation shareholder's pro rata share of items of income, gain, deduction, or loss of the partnership or S corporation are taken into account in applying the limitation under the provision for the taxable year of the partner or S corporation shareholder.

Losses prohibited under this section are carried forward and treated as part of the taxpayer's net operating loss carryforward in subsequent taxable years.

Part III--Tax Benefits For Families And Individuals

(Sec. 11021) This section temporarily increases the standard deduction to \$24,000 for married individuals filing a joint return, to \$18,000 for head-of-household filers, and to \$12,000 for all other taxpayers. The amount of the standard deduction is indexed for inflation after 2018 using the chained CPI.

(Under current law, the standard deduction for 2017 is \$6,350 for single individuals and married individuals filing separate returns, \$9,350 for heads of households, and \$12,700 for married individuals filing a joint return and surviving spouses.)

(Sec. 11022) This section modifies the child tax credit to temporarily: (1) increase the credit to \$2,000 (\$1,000 under current law) per qualifying child under the age of 17, and (2) allow a \$500 nonrefundable credit for each dependent of the taxpayer who is not a qualifying child under age 17.

The credit is phased out at AGI levels of \$400,000 for married taxpayers filing joint returns and \$200,000 for individuals.

The refundable portion of the credit is limited to \$1,400 per qualifying child. In order to receive the credit, a taxpayer must include a Social Security number for each qualifying child for whom the credit is claimed on the tax return. The requirement does not apply to a non-child dependent for whom the \$500 non-refundable credit is claimed.

(Sec. 11023) This section modifies the deduction for charitable contributions to temporarily increase from 50% to 60% the income-based percentage limitation for contributions of cash to public charities.

(Sec. 11024) This section temporarily increases contribution limitations for ABLE accounts with respect to contributions made by the designated beneficiary of the account. (Tax-favored ABLE [Achieving a Better Life Experience] accounts are designed to enable individuals with disabilities to save for and pay for disability-related expenses.)

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

After the limit is reached, the designated beneficiary may contribute an additional amount up to the lesser of: (1) the federal poverty line for a one-person household, or (2) the individual's compensation for the taxable year.

The bill also allows the designated beneficiary of an ABLE account to claim the saver's credit for contributions made to his or her account.

(Sec. 11025) This section allows funds from qualified tuition programs (known as 529 plans) to be rolled over to an ABLE account without penalty if the ABLE account is owned by the designated beneficiary of the 529 account or a member of the designated beneficiary's family.

(Sec. 11026) This section temporarily allows certain members of the Armed Forces in the Sinai Peninsula of Egypt to receive combat zone tax benefits for performing services that qualify for special pay for duty subject to hostile fire or imminent danger.

(Sec. 11027) For 2017 and 2018, this section reduces from 10% to 7.5% the AGI threshold that must be exceeded before a taxpayer is allowed to claim an itemized deduction for medical expenses.

(Sec. 11028) This section provides tax incentives for areas in which a major disaster was declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act during calendar year 2016.

For individuals residing in the 2016 disaster areas, the bill allows: (1) exceptions to the 10% penalty for up to \$100,000 in early withdrawals from retirement plans, and (2) personal casualty losses exceeding \$500 per casualty to be deducted without regard to whether aggregate net losses exceed 10% of a taxpayer's AGI.

Part IV--Education

(Sec. 11031) This section temporarily modifies the exclusion of student loan discharges from gross income to exclude from gross income certain discharges on account of the death or total and permanent disability of the student.

(Sec. 11032) This section allows funds from 529 accounts to be used for expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school.

Part V--Deductions And Exclusions

(Sec. 11041) This section: (1) suspends the deduction for personal exemptions, (2) modifies the wage withholding rules, (3) and modifies the requirements that determine who is required to file a tax return.

(Sec. 11042) This section temporarily limits individual deductions for certain state and local taxes to \$10,000 per year (\$5,000 for a married taxpayer filing a separate return). The limit does

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

not apply to taxes paid or accrued in carrying on a trade or business or for expenses for the production of income.

(Sec. 11043) This section modifies the deduction for home mortgage interest to: (1) limit the deduction to mortgages for a principal residence, (2) temporarily limit the deduction for debt incurred on or before December 15, 2017, to mortgages of up to \$750,000 (currently \$1 million), and (3) suspend the deduction for interest paid on home equity loans.

For taxable years beginning after 2025, the deduction applies to mortgages of up to \$1 million regardless of when the indebtedness was incurred.

(Sec. 11044) This section temporarily modifies the deduction for personal casualty and theft losses. A taxpayer may only claim the deduction for a personal casualty loss if the loss is attributable to a federally declared disaster. The bill includes an exception for certain personal casualty losses that do not exceed personal casualty gains.

(Sec. 11045) This section suspends all miscellaneous itemized deductions that are subject to the 2% floor under present law.

(Sec. 11046) This section suspends the overall limitation on itemized deductions, which currently applies when AGI exceeds a specified amount.

(Sec. 11047) This section suspends the exclusion for qualified bicycle commuting reimbursements.

(Sec. 11048) This section suspends the exclusion for qualified moving expense reimbursements, with an exception for members of the Armed Forces on active duty who move pursuant to a military order and incident to a permanent change of station.

(Sec. 11049) This section suspends the deduction for moving expenses.

(Sec. 11050) This section temporarily modifies a provision that limits the deduction for wagering losses to the extent of the gains from such transactions. The bill specifies that "losses from wagering transactions" include otherwise deductible expenses incurred in carrying out a wagering transaction (e.g., expenses for traveling to or from a casino).

(Sec. 11051) This section repeals the deduction for alimony or separate maintenance payments from the payor spouse and the corresponding inclusion of the payments in the gross income of the recipient spouse.

Part VI--Increase In Estate And Gift Tax Exemption

(Sec. 11061) This section doubles the estate and gift tax exemption amount for decedents dying or gifts made after December 31, 2017, and before January 1, 2026, by increasing the basic exclusion amount from \$5 million to \$10 million. (Under current law, the amount is indexed for inflation occurring after 2011.)

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

Part VII--Extension Of Time Limit For Contesting IRS Levy

(Sec. 11071) This section extends from nine months to two years the time limit for contesting an Internal Revenue Service (IRS) levy, including the time periods for: (1) returning the monetary proceeds from the sale of property that has been wrongfully levied upon, and (2) bringing a civil action for a wrongful levy.

Part VIII--Individual Mandate

(Sec. 11081) This section repeals the penalty for individuals who fail to maintain minimum essential health coverage as required by the Patient Protection and Affordable Care Act (commonly referred to as the individual mandate).

Subtitle B--Alternative Minimum Tax

(Sec. 12001) This section repeals the corporate alternative minimum tax (AMT).

(Sec. 12002) This section modifies the AMT credit for corporations to: (1) allow the AMT credit to offset regular tax liability for any taxable year, and (2) make the credit refundable for any taxable year beginning after 2017 and before 2022 in an amount equal to 50% (100% beginning in 2021) of the excess of the minimum tax credit for the taxable year over the amount of the credit allowable for the year against regular tax liability.

(Under current law a corporation subject to the AMT in any year is allowed an AMT credit in any subsequent taxable year to the extent that the taxpayer's regular tax liability exceeds its tentative minimum tax in the subsequent year.)

(Sec. 12003) This section temporarily increases both the exemption amount and the exemption amount phaseout thresholds for the individual AMT. The exemption amount is increased to \$109,400 for married taxpayers filing a joint return (half this amount for married taxpayers filing a separate return), and \$70,300 for all other taxpayers (other than estates and trusts). The phaseout thresholds are increased to \$1 million for married taxpayers filing a joint return, and \$500,000 for all other taxpayers (other than estates and trusts). The amounts are indexed for inflation after 2018.

Subtitle C--Business-related Provisions

Part I--Corporate Provisions

(Sec. 13001) This section reduces the corporate tax rate from a maximum of 35% under the existing graduated rate structure to a flat 21% rate for tax years beginning after 2017. The bill specifies requirements for taxpayers subject to the normalization method of accounting.

(Sec. 13002) With respect to the deduction for corporations that receive dividends from other taxable corporations, the bill reduces the 70% dividends received deduction to 50% and the 80% dividends received deduction to 65% to account for the lower corporate tax rate.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

Part II--Small Business Reforms

(Sec. 13101) This section expands the expensing of certain depreciable business assets that is currently permitted under section 179 of the IRC.

The bill modifies section 179 to:

increase the maximum amount a taxpayer may expense per year to \$1 million (currently \$500,000);

increase the phaseout threshold for the cost of section 179 property placed in service during the year to \$2.5 million (currently \$2 million);

index the amounts above and the existing \$25,000 limit for sport utility vehicles for inflation;

revise the definition of qualified real property eligible for section 179 expensing to include any qualified improvement property and certain improvements to nonresidential real property placed in service after the date such property was first placed in service (roofs; heating, ventilation, and air-conditioning property; fire protection and alarm systems; and security systems); and

expand the definition of section 179 property to include certain depreciable tangible personal property used predominantly to furnish lodging or in connection with furnishing lodging.

(Sec. 13102) This section modifies the accounting rules for small businesses to:

expand the group of taxpayers who qualify for the cash accounting method by increasing the limit for the gross receipts test from \$5 million to \$25 million (adjusted for inflation after 2018),

allow any farming C corporation (or farming partnership with a C corporation partner) that meets the gross receipts test to use the cash method of accounting,

exempt taxpayers that meet the gross receipts test from certain requirements to account for inventories,

expand the exceptions for small businesses from the uniform capitalization rules to include any producer or reseller that meets the gross receipts test, and

expand the exception for small construction contracts from the requirement to use the percentage-of-completion method.

Part III--Cost Recovery And Accounting Methods

Subpart A--Cost Recovery

(Sec. 13201) This section temporarily allows increased expensing of the costs of certain business property.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

The bill allows 100% expensing for: (1) certain business property acquired and placed in service after September 27, 2017, and before January 1, 2023 (January 1, 2024 for longer production period property and certain aircraft); and (2) specified plants that bear fruits or nuts and are planted or grafted after September 27, 2017, and before January 1, 2023.

The 100% allowance is phased down by 20% per year calendar year for property placed in service, and specified plants planted or grafted, in taxable years beginning after 2022 (after 2023 for longer production period property and certain aircraft).

The bill also:

expands the definition of "qualified property" eligible for expensing to include certain film, television, and live theatrical productions;

removes the requirement that the original use of qualified property must commence with the taxpayer, subject to certain acquisition requirements and anti-abuse rules; and

excludes from the definition of "qualified property" the property of certain businesses that are not subject to the limitation on interest expenses.

(Sec. 13202) This section increases the depreciation limits that apply to luxury automobiles. It also removes computer or peripheral equipment from the definition of listed property that is subject to additional restrictions and substantiation requirements regarding the expense and business usage of the property.

(Sec. 13203) This section modifies the depreciation rules for certain farm property to: (1) shorten the recovery period from seven to five years for any machinery or equipment (other than any grain bin, cotton ginning asset, fence, or other land improvement) used in a farming business, the original use of which commences with the taxpayer and is placed in service after December 31, 2017; and (2) repeal the requirement to use the 150% declining balance method for property used in a farming business.

(Sec. 13204) This section modifies the applicable recovery periods for depreciating certain real property.

The bill eliminates the separate definitions of qualified leasehold improvement, qualified restaurant, and qualified retail improvement property and applies the straight line method to qualified improvement property. It also modifies the alternative depreciation system (ADS) recovery period for such property.

(Under current law, "qualified improvement property" is any improvement to an interior portion of a building which is nonresidential real property if such improvement is placed in service after the date such building was first placed in service. It does not include any improvement for which the expenditure is attributable to: the enlargement of the building, any elevator or escalator, or the internal structural framework of the building.)

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

A real property trade or business electing out of the limitation on the deduction for interest must use the ADS to depreciate nonresidential real property, residential rental property, and qualified improvement property.

(Sec. 13205) This section requires a farming business electing out of the limitation on the deduction for interest to use the ADS to depreciate any property with a recovery period of 10 years or more.

(Sec. 13206) This section adjusts the amortization rules and schedules for certain research and experimentation expenditures.

(Sec. 13207) This section allows expensing of certain costs of replanting lost or damaged citrus plants lost by reason of casualty.

Subpart B--Accounting Methods

(Sec. 13221) This section revises the rules associated with the timing of the recognition of income.

Part IV--Business-Related Exclusions And Deductions

(Sec. 13301) This section limits the deduction for business interest to the sum of: (1) business interest income for the year, (2) 30% of the adjusted taxable income of the taxpayer for the taxable year, and (3) the floor plan financing interest of the taxpayer for the taxable year.

The amount of any business interest not allowed as a deduction for any year may be carried forward indefinitely, with the exception of partnerships which are subject to additional carryforward rules specified in the bill.

"Business interest income" is the amount of interest includible in the gross income of the taxpayer for the taxable year which is properly allocable to a trade or business. It does not include investment income.

"Floor plan financing interest" is interest paid on debt used to finance the acquisition of motor vehicles held for sale or lease and secured by the inventory so acquired.

The bill includes exceptions for:

small businesses that meet the gross receipts test,

the trade or business of performing services as an employee,

any electing farming business,

any electing real property trade or business, and

certain regulated public utilities.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13302) This section modifies the net operating loss deduction to: (1) limit the deduction to 80% of taxable income with an exception for property and casualty insurance companies, (2) repeal the two-year and other specified carryback provisions, (3) allow an indefinite carryforward of net operating losses, and (4) allow a two-year carryback for certain losses incurred in the trade or business of farming.

(Sec. 13303) This section modifies the rule providing for the nonrecognition of gain in the case of like-kind exchanges to limit the application of the rule to real property that is not held primarily for sale.

(Sec. 13304) This section modifies the tax treatment of certain expenses for entertainment and fringe benefits.

The bill denies deductions for amounts paid or incurred for:

an activity generally considered to be entertainment, amusement or recreation;

membership dues for any club organized for business, pleasure, recreation, or other social purposes;

a facility or portion thereof used in connection with any of the above items;

providing any qualified transportation fringe to employees of the taxpayer; or

providing transportation for commuting between the employee's residence and place of employment, except as necessary for ensuring the safety of the employee.

Under current law, taxpayers may deduct 50% of the food and beverage expenses associated with operating their trade or business, subject to certain exceptions. The bill temporarily expands the 50% limitation to include expenses of an employer associated with providing food and beverages through an eating facility that meets the requirements for a de minimis fringe.

(Sec. 13305) This section repeals the deduction for income attributable to domestic production activities.

(Sec. 13306) This section prohibits deductions for trade or business expenses for any amount paid or incurred (whether by suit, agreement, or otherwise) to, or at the direction of, a government or governmental entity in relation to the violation of any law or the investigation or inquiry by such government or entity into the potential violation of any law.

The bill includes exceptions for amounts constituting restitution or paid to come into compliance with law, amounts paid or incurred as a result of certain court orders, and taxes due.

The bill also establishes reporting requirements for government entities with respect to certain fines, penalties, and other amounts.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13307) This section prohibits a tax deduction for trade or business expenses paid or incurred for: (1) any settlement or payment related to sexual harassment or sexual abuse if such settlement or payment is subject to a nondisclosure agreement, or (2) attorney's fees related to such a settlement or payment.

(Sec. 13308) This section eliminates the deduction for lobbying expenditures to influence the legislation of any local council or similar governing body, including an Indian tribal government.

(Sec. 13309) This section requires a three-year holding period (one year under current law) for certain net long-term capital gains with respect to partnership interests held in connection with the performance of investment services. If the holder of an applicable partnership interest is allocated gain from the sale of property held for less than three years, that gain is treated as short-term capital gain and is taxed as ordinary income.

(Sec. 13310) This section prohibits cash, gift cards, and other non-tangible personal property from being considered tax deductible employee achievement awards.

(Under current law, tangible personal property may be considered a deductible employee achievement award if other specified requirements are met.)

The bill specifies that "tangible personal property" does not include: (1) cash, cash equivalents, gift cards, gift coupons, or gift certificates (other than arrangements conferring only the right to select and receive tangible personal property from a limited array of such items pre-selected or pre-approved by the employer); or (2) vacations, meals, lodging, tickets to theater or sporting events, stocks, bonds, other securities, and other similar items.

(Sec. 13311) This section eliminates the deduction for living expenses incurred by Members of Congress. (Under current law, the deduction is limited to \$3,000 per year.)

(Sec. 13312) This section modifies the exclusion from gross income for contributions to the capital of a corporation to specify that a contribution to capital does not include a contribution: (1) in aid of construction or any other contribution as a customer or potential customer, or (2) by any governmental entity or civic group (other than a contribution made by a shareholder as such).

The bill includes an exception for certain contributions made by a governmental entity pursuant to a master development plan.

(Sec. 13313) This section repeals a provision that permits the tax-free rollover of certain gains from the sale of publicly traded securities into common stock or a partnership interest in a specialized small business investment company.

(Sec. 13314) This section excludes certain patents, inventions, models, designs, secret formulas, or processes created by the taxpayer from the definition of a "capital asset."

Part V--Business Credits

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13401) This section modifies the tax credit for clinical testing expenses incurred in testing certain drugs for rare diseases or conditions (commonly referred to as orphan drugs) to reduce the credit rate to 25% (currently 50%) of qualified clinical testing expenses.

(Sec. 13402) This section modifies the tax credit for rehabilitation expenditures to repeal the 10% credit for rehabilitated buildings other than a certified historic structure.

The bill retains and modifies the 20% credit for rehabilitation expenditures for certified historic structures. For the five-year period beginning in the year in which a qualified rehabilitated building is placed in service, the credit is equal to the ratable share for each year, which is 20% of the qualified rehabilitation expenditures with respect to the building, as allocated ratably to each year during the period.

(Sec. 13403) This section allows employers to claim a general business credit equal to 12.5% of wages paid to employees during any period in which such employees are on family and medical leave if the rate of payment under the program is 50% of the wages normally paid to an employee.

The credit is increased by 0.25% (but not above 25%) for each percentage point by which the rate of payment exceeds 50%. The maximum amount of family and medical leave that may be taken into account with respect to any employee for any taxable year is 12 weeks.

(Sec. 13404) This section repeals the authority to issue tax-credit bonds and direct-pay bonds.

Part VI--Provisions Related To Specific Entities And Industries

Subpart A--Partnership Provisions

(Sec. 13501) This section sets forth requirements for the tax treatment of gains or losses of foreign persons from the sale or exchange of interests in partnerships engaged in trade or business within the United States.

Under the bill, gain or loss from the sale or exchange of a partnership interest is effectively connected with a U.S. trade or business to the extent that the transferor would have had effectively connected gain or loss had the partnership sold all of its assets at fair market value as of the date of the sale or exchange.

A partner's distributive share of gain or loss on the deemed sale must be determined in the same manner as the partner's distributive share of the non-separately stated taxable income or loss of the partnership.

The bill also sets forth withholding requirements with respect to amounts realized from the sale or exchange of a partnership interest.

(Sec. 13502) This section modifies the definition of "substantial built-in loss" with respect to the transfer of an interest in partnership. The bill specifies that "a substantial built-in loss" also exists

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

if the transferee partner would be allocated a loss of more than \$250,000 if the partnership assets were sold for cash equal to their fair market value immediately after such transfer.

(Sec. 13503) This section modifies the basis limitation on a partner's distributive share of a partnership loss to require a partner's distributive share of partnership charitable contribution and taxes paid or accrued to foreign countries and U.S. possessions to be taken into account in determining the limitation.

(Sec. 13504) This section repeals the rule that provides for a technical termination of partnerships if, within any 12-month period, there is a sale or exchange of 50% or more of the total interest in partnership capital and profits.

Subpart B--Insurance Reforms

(Sec. 13511) This section repeals the operations loss deduction for life insurance companies and allows the net operating loss deduction under section 172 of the IRC.

(Sec. 13512) This section repeals the small life insurance company deduction.

(Sec. 13513) This section revises the tax treatment of income or loss resulting from a change in the method of computing life insurance company reserves. The bill eliminates the 10-year period for taking into account the changes and requires the changes to be taken into account as adjustments attributable to a change in the method of accounting.

(Sec. 13514) This section repeals the special rule for distributions to shareholders of a stock life insurance company from a pre-1984 policyholders surplus account, which provides that amounts in the account are not taxed unless the amounts are treated as distributed to shareholders or subtracted from the account. The bill requires a life insurance company with such an account to pay taxes on the balance of the account ratably over the first eight taxable years beginning after December 31, 2017.

(Sec. 13515) This section modifies the proration rules for property and casualty insurance companies to replace the 15% reduction with a reduction equal to 5.25% divided by the highest corporate tax rate in effect. (Under the top corporate rate of 21% that takes effect in 2018, the proration percentage is 25%.)

(Under the proration rules, in calculating the deductible amount of its reserve for losses incurred, a property or casualty insurance company must reduce the amount of the losses incurred by a specified percentage of: (1) the insurer's tax-exempt interest, (2) the deductible portion of dividends received, and (3) the increase for the taxable year in the cash value of life insurance, endowment, or annuity contracts the company owns.)

(Sec. 13516) This section repeals the special estimated tax payment rules for insurance companies.

(Sec. 13517) This section modifies the rules for computing life insurance tax reserves that are used in determining the taxable income of a life insurance company.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13518) This section modifies the life insurance company proration rule for reducing dividends received deductions and reserve deductions with respect to untaxed income. For purposes of the life insurance proration rule, the company's share is 70% and the policyholder's share is 30%.

(Sec. 13519) This section modifies the requirements for the capitalization of policy acquisition expenses of insurance companies to extend the amortization period from 120 months to 180 months.

Under current law, policy acquisition expenses are determined as that portion of the insurance company's general deductions for the taxable year that does not exceed a specified percentage of the net premiums for the year on each of three categories of insurance contracts.

The bill increases these percentages from 1.75% to 2.09% for annuity contracts, from 2.05% to 2.45% for group life insurance contracts, and from 7.7% to 9.2% for all other specified insurance contracts.

(Sec. 13520) This section establishes reporting requirements for acquisitions of life insurance contracts in a reportable policy sale. It also imposes reporting requirements on the payor in the case of the payment of reportable death benefits.

A "reportable policy sale" is the acquisition of an interest in a life insurance contract, directly or indirectly, if the acquirer has no substantial family, business, or financial relationship with the insured apart from the acquirer's interest in such life insurance contract.

(Sec. 13521) This section sets forth requirements for the determining the basis of a life insurance or annuity contract. The bill specifies that no basis adjustment shall be made for mortality, expense, or other reasonable charges incurred under an annuity or life insurance contract.

(Sec. 13522) This section exempts the transfer of a life insurance contract, or any interest therein, in a reportable policy sale from the transfer for valuable consideration rule.

(Under current law, the transfer for valuable consideration rule provides that, if a life insurance contract or an interest in a contract is transferred for a valuable consideration, the tax exclusion for amounts received under a life insurance contract due to the death of the insured is limited to the sum of the actual value of the consideration and the premiums and other amounts subsequently paid by the transferee.)

(Sec. 13523) This section modifies the reserve discounting rules applicable to property and casualty insurance companies to: (1) modify the interest rate used to discount unpaid losses, (2) modify the computational rules for loss payment pattern, and (3) repeal the election to use a taxpayer's historical loss payment pattern.

Subpart C--Banks and Financial Instruments

(Sec. 13531) This section limits the deduction for Federal Deposit Insurance Corporation premiums for certain financial institutions with consolidated assets that exceed \$10 billion.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13532) This section repeals the exclusion from gross income for interest on a bond issued to advance refund another bond.

Subpart D--S Corporations

(Sec. 13541) This section allows a nonresident alien individual to be a qualifying beneficiary of an electing small business trust (ESBT), which is a type of trust that is permitted to hold shares in an S corporation.

(Sec. 13542) This section specifies that the charitable contribution deduction of an ESBT is determined by the rules applicable to individuals rather than the rules applicable to trusts, except that the deductions for costs which are paid or incurred in connection with the administration of the trust and which would not have been incurred if the property were not held in such trust shall be treated as allowable in arriving at adjusted gross income.

(Sec. 13543) This section modifies the tax treatment of S corporation conversions to C corporations.

Part VII--Employment

Subpart A--Compensation

(Sec. 13601) This section modifies a provision that limits the deduction for compensation of covered employees of a publicly held corporation to salaries of no more than \$1 million per year. The bill: (1) repeals the performance-based compensation and commission exceptions, (2) modifies the definition of "covered employee," and (3) expands the definition of "publicly held corporation."

The bill includes an exception for compensation that is provided pursuant to a written binding contract which was in effect on November 2, 2017, and which was not modified in any material respect on or after such date.

(Sec. 13602) This section imposes an excise tax on excess tax-exempt organization executive compensation. The tax is equal to the product of the corporate tax rate (21% under this bill) and the sum of: (1) any remuneration (other than an excess parachute payment) in excess of \$1 million paid to a covered employee by an applicable tax-exempt organization for a taxable year, and (2) any excess parachute payment (separation pay), as specified in the bill.

(Sec. 13603) This section allows qualified employees to elect to defer, for income tax purposes, income attributable to certain stock transferred to the employee by an employer.

Employees are excluded if they: (1) are a 1% owner, the chief executive officer, or the chief financial officer of the corporation or have been at any time during the 10 preceding calendar years; (2) are a family member of the specified individuals; or (3) is one of the four highest compensated officers of the corporation or has been during any of the 10 preceding taxable years.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13604) This section increases from 15% to 20% the excise tax imposed on the value of stock compensation held by insiders of an expatriated corporation.

Subpart B--Retirement Plans

(Sec. 13611) This section repeals the rule that allows Individual Retirement Arrangement (IRA) contributions to one type of IRA (traditional or Roth) to be recharacterized as a contribution to the other type of IRA.

(Sec. 13612) This section increases the limit on accruals that is required for length of service award plans (LOSAPs) for bona fide volunteers to be exempt from treatment as a deferred compensation plan.

(Under current law, plans paying solely length of service awards to bona fide volunteers or their beneficiaries on the account of firefighting and prevention services, emergency medical services, and ambulance services performed by the volunteers are not treated as deferred compensation plans if they meet certain requirements. One of the requirements is a limit on the aggregate amount of length of service awards that may accrue with respect to any year of service for any bona fide volunteer.)

The bill modifies the limit on accruals to: (1) increase the limit from \$3,000 to \$6,000; and(2) provide for a cost-of-living adjustment to the limit after 2017.

In the case of LOSAPs that are defined benefit plans, the limit applies to the actuarial present value of the aggregate amount of length of service awards accruing with respect to any year of service. Actuarial present value is to be calculated using reasonable actuarial assumptions and methods, assuming payment will be made under the most valuable form of payment under the plan with payment commencing at the later of the earliest age at which unreduced benefits are payable under the plan or the participant's age at the time of the calculation.

(Sec. 13613) This section extends the period during which a qualified plan loan offset amount may be contributed to an eligible retirement plan as a rollover contribution. A "qualified plan loan offset amount" is a plan loan offset amount that is treated as distributed from a qualified retirement plan, a section 403(b) plan or a governmental section 457(b) plan solely by reason of the termination of the plan or the failure to meet the repayment terms of the loan because of the severance from employment of the participant.

Part VIII--Exempt Organizations

(Sec. 13701) This section imposes a 1.4% excise tax on the net investment income of certain private colleges and universities.

(Sec. 13702) This section requires tax-exempt organizations with more than one unrelated trade or business to calculate unrelated business taxable income separately with respect to each trade or business and without regard to a specified deduction that applies for certain unrelated business taxable income.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 13703) This section includes in unrelated business taxable income of a tax-exempt organization any expenses paid or incurred by the organization for certain fringe benefits for which a deduction is not allowed under section 274 of the IRC, including qualified transportation fringe benefits, a parking facility used in connection with qualified parking, or any on-premises athletic facility.

(Sec. 13704) This section modifies the deduction for charitable contributions to prohibit a charitable deduction for college athletic event seating rights.

(Sec. 13705) This section modifies the deduction for charitable contributions to repeal the exception to substantiation requirements for certain contributions reported by the donee organization.

Part IX--Other Provisions

Subpart A--Craft Beverage Modernization and Tax Reform

(Sec. 13801) This section excludes the aging periods for beer, wine, and distilled spirits from the production period for purposes of the uniform interest capitalization rules, which allows the producers to deduct interest expenses attributable to a shorter production period. This section does not apply to interest costs paid or accrued after December 31, 2019.

(Sec. 13802) This section lowers the excise tax rate on beer to \$16 per barrel on the first six million barrels brewed by the brewer or imported by the importer.

For barrels of beer that have been brewed or produced outside of the United States and imported into the United States, the reduced tax rate may be assigned by the brewer to the importer, subject to specified requirements.

(Sec. 13803) This section allows the transfer of beer between bonded facilities without payment of tax if specified requirements are met.

(Sec. 13804) This section modifies the credit against the excise tax on wine for small domestic for 2018 and 2019 to:

make the credit available to all wine producers and importers by removing the 250,000 wine gallon domestic production limitation;

establish credit rates of: (1) \$1.00 per wine gallon for the first 30,000 wine gallons of wine, plus; (2) 90 cents per wine gallon on the next 100,000 wine gallons of wine, plus; (3) 53.5 cents per wine gallon on the next 620,000 wine gallons of wine;

establish adjusted credit rates for hard cider; and

make sparkling wine producers and importers eligible for the credit.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

The bill also allows importers of wine produced outside of the United States to assign the credit to the foreign producer, subject to specified requirements.

(Sec. 13805) The section modifies the alcohol-by-volume levels of the first two tiers of the excise tax on wine, by changing 14% to 16%. Under the provision, a wine producer or importer may produce or import still wine that has an alcohol-by-volume level of up to 16% and remain subject to the lowest rate of \$1.07 per wine gallon.

(Sec. 13806) This section specifies definitions for "mead" and "low alcohol by volume wine" that are eligible to be taxed at the lowest applicable rate for still wine.

(Sec. 13807) This section reduces the excise tax rate for certain distilled spirits in 2018 and 2019 to: \$2.70 per proof gallon on the first 100,000 proof gallons, \$13.34 for all proof gallons in excess of that amount but below 22,130,000 proof gallons, and \$13.50 for amounts thereafter.

Members of the same controlled group may not receive the lower rate on more than 100,000 proof gallons of distilled spirits. Importers of distilled spirits are eligible for the lower rates.

(Sec. 13808) This section allows distillers to transfer spirits in approved containers other than bulk containers in bond without payment of tax. This provision applies to distilled spirits transferred in bond after December 31, 2017, and before January 1, 2020.

Subpart B--Miscellaneous Provisions

(Sec. 13821) This section modifies the tax treatment of Alaska Native Settlement Trusts, to: (1) allow an Alaska Native Corporation to assign certain payments referenced in the Alaska Native Claims Settlement Act to a trust without including the payments in the gross income of the corporation, (2) allow the corporation to elect annually to deduct contributions made to a trust, (3) allow a trust to elect to defer the recognition of gains related to contributions of property other than cash until the sale or exchange of the property, and (4) establish information reporting requirements for deductible contributions to a trust.

(Sec. 13822) This section exempts certain payments related to the management of private aircraft from the excise taxes imposed on taxable transportation by air.

(Sec. 13823) This section authorizes the designation of opportunity zones in low-income communities and provides various tax incentives for investments in the zones. Taxpayers may temporarily defer the recognition of capital gains that are invested in opportunity zones. Investments in opportunity zones or opportunity funds that are held for at least five years are eligible for capital gains tax reductions or exemptions, depending on how long the investment is held.

Subtitle D--International Tax Provisions

Under current law, the earnings of foreign subsidiaries of U.S. multinational corporations are not taxed until the income is repatriated (paid as dividends) into the United States. The corporations are allowed a tax credit against U.S. taxes for taxes paid to foreign jurisdictions. This subtitle

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

establishes a territorial system in which foreign source income is not subject to regular U.S. taxes.

Part I--Outbound Transactions

Subpart A--Establishment of Participation Exemption System for Taxation of Foreign Income

(Sec. 14101) This section establishes a participation exemption system for foreign income. Under the system, the bill allows a 100% deduction for the foreign-source portion of dividends received from specified 10% owned foreign corporations by domestic corporations that are U.S. shareholders of those foreign corporations.

A "specified 10% owned foreign corporation" is any foreign corporation with respect to which any domestic corporation is a U.S. shareholder. It does not include a passive foreign investment company that is not a controlled foreign corporation (CFC).

No foreign tax credit or deduction is allowed for any taxes paid or accrued with respect to any dividend for which a deduction is allowed under this section.

The bill establishes a one-year holding period requirement for dividends of a domestic corporation to be eligible for a participation dividends received deduction.

(Sec. 14102) This section sets forth requirements for the tax treatment of sales or transfers involving specified 10% owned foreign corporations, including (1) sales by U.S. persons of stock, (2) required reductions in the basis of certain foreign stock, and (3) sales by a CFC of a lower-tier CFC, (4) foreign branch losses transferred to specified 10% owned foreign corporations, and (5) the repeal of the active trade or business exception.

(Sec. 14103) This section specifies rules for the tax treatment of deferred foreign income upon transition to the participation exemption system of taxation.

For the last taxable year of a deferred foreign income corporation which begins before January 1, 2018, U.S. shareholders of deferred foreign income corporations must include as subpart F income a pro rata share of the accumulated post-1986 deferred foreign income of the corporation.

The bill allows a deduction for a portion of the pro rata share of foreign earnings. The bill also disallows a corresponding portion of the credit for foreign taxes.

The total amount of deductions permitted is the amount necessary to result in tax rates of 15.5% for accumulated post-1986 foreign earnings held in the form of cash or cash equivalents and 8% rate for all other earnings.

The tax may be paid in installments over eight years.

The bill specifies rules for applying this provision to S corporations and real estate investment trusts.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

Subpart B--Rules Related to Passive and Mobile Income

Chapter 1--Taxation Of Foreign-Derived Intangible Income And Global Intangible Low-Taxed Income

(Sec. 14201) This section requires a U.S. shareholder of any CFC for any taxable year to include in gross income the shareholder's global intangible low-taxed income for the year. The bill specifies a formula and requirements for calculating global intangible low-taxed income.

(Sec. 14202) This section allows deductions for domestic corporations for specified portions of the corporation's foreign-derived intangible income and global intangible low-taxed income, using specified formulas and definitions included in the bill.

Chapter 2--Other Modifications Of Subpart F Provisions

(Sec. 14211) This section repeals provisions that treat foreign base company oil related income as category of subpart F income.

(Sec. 14212) This section repeals the requirement for a U.S. shareholder in a CFC that invested previously excluded subpart F income in foreign base company shipping operations to include in income a pro rata share of the previously excluded subpart F income when the CFC decreases the investments

(Sec. 14213) This section modifies the stock attribution rules for determining status as a CFC. Certain stock of a foreign corporation owned by a foreign person must be attributed to a related U.S. person for purposes of determining whether the related U.S. person is a U.S. shareholder of the foreign corporation.

(Sec. 14214) This section expands the definition of U.S. shareholder under subpart F to include any U.S. person who owns 10% or more of the total value of shares of all classes of stock of a foreign corporation.

(Sec. 14215) This section eliminates the requirement for a corporation to be controlled for an uninterrupted period of 30 days before subpart F inclusions apply.

Chapter 3--Prevention Of Base Erosion

(Sec. 14221) This section modifies terms and valuation methods that apply to transfers of intangible property. The bill modifies the definition of "intangible property" to include: (1) any goodwill, going concern value, or workforce in place (including its composition and terms and conditions [contractual or otherwise] of its employment); or (2) any other item the value or potential value of which is not attributable to tangible property or the services of any individual.

The bill removes a requirement that the item have substantial value independent of the services of an individual to be considered intangible property.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

The bill specifies authorities and requirements for Treasury to specify the method to be used to determine the valuation of transfers of intangible property.

(Sec. 14222) This section denies a deduction for any disqualified related party amount paid or accrued pursuant to a hybrid transaction or by, or to, a hybrid entity.

A "disqualified related party amount" is any interest or royalty paid or accrued to a related party to the extent that: (1) the amount is not included in the income of such related party under the tax law of the country of which such related party is a resident for tax purposes or is subject to tax, or (2) the related party is allowed a deduction with respect to such amount under the tax law of such country. The term does include any payment to the extent such payment is included in the gross income of a U.S. shareholder under this bill.

A "hybrid transaction" is any transaction, series of transactions, agreement, or instrument one or more payments with respect to which are treated as interest or royalties under this bill and which are not so treated for purposes the tax law of the foreign country of which the recipient of such payment is resident for tax purposes or is subject to tax.

A "hybrid entity" is any entity which is either: (1) treated as fiscally transparent under this bill but not for the purposes of the tax law of the foreign country of which the entity is a resident for tax purposes or is subject to tax, or (2) treated as fiscally transparent for purposes of such tax law but not so treated for purposes of this bill

(Sec. 14223) Shareholders who receive dividends from a foreign corporation that first becomes a surrogate corporation after enactment of this bill are ineligible for the reduced rates for qualified dividends.

Subpart C--Modifications Related to Foreign Tax Credit System

(Sec. 14301) This section repeals the deemed-paid credit with respect to dividends received by a domestic corporation that owns 10% or more of the voting stock of a foreign corporation. The bill allows a deemed-paid credit with respect to any income inclusion under subpart F. The credit is limited to the amount of foreign income taxes properly attributable to the subpart F inclusion.

(Sec. 14302) This section requires foreign branch income to be allocated to a specific foreign tax credit basket. Foreign branch income is the business profits of a U.S. person which are attributable to one or more qualified business units in one or more foreign countries.

(Sec. 14303) This section requires gains, profits, and income from the sale or exchange of inventory property produced partly in, and partly outside, the United States to be allocated and apportioned between sources within and without the United States solely on the basis of the production activities with respect to the property.

(Sec. 14304) This section allows an election to increase the percentage (but not greater than 100%) of domestic taxable income offset by any pre-2018 unused overall domestic loss and recharacterized as foreign source.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

A "Pre-2018 unused overall domestic loss" is any overall domestic loss which: (1) arises in a qualified taxable year beginning before January 1, 2018, and (2) has not been used under the general rule for the recharacterization of overall domestic loss.

Part II--Inbound Transactions

(Sec. 14401) This section imposes on each applicable taxpayer for any taxable year a tax equal to the base erosion minimum tax amount for the taxable year and specifies a formula for calculating the tax.

An "applicable taxpayer" is a taxpayer who: (1) is a corporation other than a regulated investment company, a real estate investment trust, or an S corporation; (2) has average annual gross receipts of at least \$500 million for the three-year period ending with the preceding year; and (3) has a base erosion percentage, as determined using a specified formula, of at least 3% (2% for certain banks and securities dealers).

Part III--Other Provisions

(Sec. 14501) This section modifies the exception from the passive foreign investment company rules for insurance businesses. The bill replaces the test based on whether a corporation is predominantly engaged in an insurance business with a test based on the corporation's insurance liabilities.

(Sec. 14502) This section specifies that all allocations and apportionments of interest expense must be determined using the adjusted bases of assets rather than on the basis of the fair market value of the assets or gross income.

TITLE II

(Sec. 20001) The Department of the Interior must establish and administer a competitive oil and gas program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) in Alaska.

The bill specifies that the provision in the Alaska National Interest Lands Conservation Act that prohibits the production of oil and gas from ANWR does not apply to the Coastal Plain.

Interior must conduct at least two lease sales within 10 years. Each lease sale must contain: (1) at least 400,000 acres, and (2) areas that have the highest potential for the discovery of hydrocarbons.

Interior must also: (1) issue any necessary rights-of-way or easements across the Coastal Plain for the exploration, development, production, or transportation associated with the oil and gas program; and (2) authorize up to 2,000 surface acres of federal land on the Coastal Plain to be covered by production and support facilities during the term of the leases under the oil and gas program.

H.R. 1 An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, continued

(Sec. 20002) This section amends the Gulf of Mexico Energy Security Act of 2006 to temporarily increase the annual limitation on offshore revenue sharing for the states of Alabama, Louisiana, Mississippi, and Texas from \$500 million annually for FY2020 and FY2021, to \$650 million annually for those two years.

(Sec. 20003) The Department of Energy (DOE) must: (1) draw down and sell seven million barrels of crude oil from the Strategic Petroleum Reserve during FY2026-FY2027, (2) deposit the amounts received from the sale in the Treasury, and (3) stop the drawdown or sale of crude oil after \$600 million has been deposited in the Treasury.

DOE may not drawdown or sell oil under this section in quantity that would limit the authority to direct a drawdown and sale of petroleum products to address a domestic or international energy supply shortage.

H.R. 3988 **Universal Charitable Giving Act of 2017** **(Walker)**

Expressed support for this bill.

Status: 10/11/2017 Sponsor introductory remarks on measure.

Shown Here:

Introduced in House (10/05/2017)

Universal Charitable Giving Act of 2017

This bill amends the Internal Revenue Code to allow a deduction from gross income (above-the-line deduction) for charitable contributions of individuals who do not elect to itemize deductions for the taxable year. The deduction may not exceed one-third of the standard deduction of the individual.

S. 2123 **Universal Charitable Giving Act of 2017** **(Lankford)**

Expressed support for this bill.

Status: 11/14/2017 Read twice and referred to the Committee on Finance.

Shown Here:

Introduced in Senate (11/14/2017)

Universal Charitable Giving Act of 2017

This bill amends the Internal Revenue Code to allow a deduction from gross income (above-the-line deduction) for charitable contributions of individuals who do not elect to itemize deductions for the taxable year. The deduction may not exceed one-third of the standard deduction of the individual

Engaged on issues surrounding this bill.

Status: 05/21/2015 Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.

Shown Here:

Passed House amended (05/04/2017)

American Health Care Act of 2017

TITLE I--ENERGY AND COMMERCE

Subtitle A--Patient Access to Public Health Programs

(Sec. 101) This bill amends the Patient Protection and Affordable Care Act (PPACA) to eliminate funding after FY2018 for the Prevention and Public Health Fund, which provides for investment in prevention and public health programs to improve health and restrain the rate of growth in health care costs. Funds that are unobligated at the end of FY2018 are rescinded.

(Sec. 102) The bill amends the Medicare Access and CHIP Reauthorization Act of 2015 to increase funding for community health centers.

(Sec. 103) For one year, certain federal funds may not be made available to states for payments to certain family planning providers (e.g., Planned Parenthood Federation of America).

Subtitle B--Medicaid Program Enhancement

(Sec. 111) The bill amends title XIX (Medicaid) of the Social Security Act (SSAct) to limit the state option for a participating-provider hospital to preliminarily determine an individual's Medicaid eligibility for purposes of providing the individual with medical assistance during a presumptive eligibility period. The bill lowers, from 133% to 100% of the official poverty line, the minimum family-income threshold that a state may use to determine the Medicaid eligibility of children between the ages of 6 and 19. In addition, the bill reduces the Federal Medical Assistance Percentage (FMAP) for Medicaid home- and community-based attendant services and supports.

(Sec. 112) Beginning in 2020, the bill eliminates: (1) the enhanced FMAP for Medicaid services furnished to adult enrollees made newly eligible for Medicaid by PPACA; and (2) the expansion of Medicaid, under PPACA, to cover such enrollees. However, a state Medicaid program may continue to provide coverage, with the enhanced FMAP, to such enrollees who were enrolled prior to 2020 and do not subsequently have any break in eligibility exceeding one month.

The bill also eliminates, beginning in 2018, the state option to extend Medicaid coverage to non-elderly adults with incomes above 133% of the official poverty line.

H.R. 1628 American Health Care Act of 2017

With respect to states that expanded Medicaid under PPACA, current law provides for transitional FMAP increases through 2019. The bill eliminates these increases after 2017, capping the FMAP at the 2017 level.

Under current law, any alternative benefit plan offered by a state Medicaid program is required to provide specified essential health benefits. The bill eliminates this requirement beginning in 2020. ("Essential health benefits" include ambulatory patient services, emergency services, hospitalization, maternity and newborn care, mental health and substance use disorder services, prescription drugs, rehabilitative services, laboratory services, preventative and wellness services, and pediatric services.)

(Sec. 113) The bill: (1) exempts from Medicaid Disproportionate Share Hospital (DSH) payment reductions, states that did not implement Medicaid expansion under PPACA; and (2) eliminates DSH reductions after FY2019. (DSH hospitals receive additional payment under Medicaid for treating a large share of low-income patients.)

(Sec. 114) The bill specifies how a state must treat qualified lottery winnings and lump sum income, beginning in 2020, for purposes of determining an individual's income-based eligibility for a state Medicaid program. Specifically, a state shall include such winnings or income as income received: (1) in the month in which it was received, if the amount is less than \$80,000; (2) over a period of two months, if the amount is at least \$80,000 but less than \$90,000; (3) over a period of three months, if the amount is at least \$90,000 but less than \$100,000; and (4) over an additional one-month period for each increment of \$10,000 received, not to exceed 120 months. An individual whose income exceeds the applicable eligibility threshold due to qualified lump sum income may continue to be eligible for medical assistance to the extent that the state determines that denial of eligibility would cause undue medical or financial hardship.

Qualified lump sum income includes: (1) monetary winnings from gambling, and (2) income received as liquid assets from the estate of a deceased individual.

In addition, the bill eliminates the requirement for up to three months of retroactive coverage under Medicaid. Under current law, a state Medicaid program must provide coverage for up to three months prior to an individual's application for benefits if the individual would have been eligible for benefits during that period.

In addition, the bill disallows a state from using, for purposes of determining Medicaid eligibility for long-term care assistance, a home equity limit that exceeds the statutory minimum.

(Sec. 115) With respect to states that did not expand Medicaid coverage under PPACA, the bill: (1) with specified limitations, provides for additional federal funding for certain health care services; and (2) through FY2022, increases the applicable FMAP. A non-expansion state that subsequently expands Medicaid coverage under PPACA shall become ineligible for this funding.

(Sec. 116) No less frequently than every six months, states must redetermine the eligibility of adult enrollees made newly eligible for Medicaid by PPACA. The bill temporarily increases by 5% the FMAP for expenditures that are attributable to meeting this requirement.

H.R. 1628 American Health Care Act of 2017

(Sec. 117) The bill allows a state Medicaid program to impose a work requirement as a condition of eligibility. However, a program may not apply such a requirement to: (1) a pregnant woman, (2) the sole parent or caretaker of either a child younger than age 6 or a child with disabilities, (3) an individual younger than age 19, or (4) an individual younger than age 20 who is married or head of a household and either attends secondary school or participates in employment-related education. The bill increases by 5% the FMAP for certain administrative expenditures that are attributable to implementing a work requirement.

Subtitle C--Per Capita Allotment for Medical Assistance

(Sec. 121) Under current law, state Medicaid programs are guaranteed federal matching funds for qualifying expenditures. The bill establishes limits on federal funding for state Medicaid programs beginning in FY2020. Specifically, the bill establishes targeted spending caps for each state, using a formula based on the state's FY2016 medical assistance expenditures in each enrollee category: (1) the elderly, (2) the blind and disabled, (3) children, (4) adults made newly eligible for Medicaid by PPACA, and (5) all other enrollees. With respect to a state that exceeds its targeted spending cap in a given fiscal year, the bill provides for reduced federal funding in the following fiscal year. In addition, the bill: (1) requires additional reporting and auditing of state data on medical assistance expenditures, and (2) temporarily increases the FMAP with respect to certain data reporting expenditures.

The bill reduces targeted spending for certain states that require political subdivisions to contribute funds towards medical assistance. Specifically, the bill applies to states that received, for FY2016, DSH allotments greater than six times the national average. Specified contributions are excepted.

A state Medicaid program may elect to receive, for any 10-year period beginning no earlier than FY2020, federal funding in block grant form. The bill establishes a formula, using targeted spending caps, for determining the amount of block grant funds. A state plan for administering a block grant shall specify: (1) conditions of eligibility for receiving health care assistance under the block grant; (2) the types, amount, duration, and scope of services to be covered; and (3) methods of delivery and cost-sharing with respect to covered services. Such a plan must: (1) provide for eligibility of specified children and pregnant women; and (2) offer assistance for hospital care, surgical care, medical care, obstetrical and prenatal care, prescribed drugs and prosthetic devices, other medical supplies, and pediatric care.

Subtitle D--Patient Relief and Health Insurance Market Stability

(Sec. 131) After 2019, the bill eliminates cost sharing reductions for low-income individuals with certain health insurance.

(Sec. 132) The bill amends the SSAct to establish and make appropriations for the Patient and State Stability Fund. The fund is administered by the Centers for Medicare and Medicaid Services (CMS) and provides funding to states through 2026, including to: provide financial assistance to high-risk individuals so they may enroll in health insurance, enter into arrangements with entities to stabilize health insurance premiums in the individual market, promote participation and increase options in the health insurance market, pay providers for services, and provide financial assistance to enrollees to reduce out-of-pocket costs.

H.R. 1628 American Health Care Act of 2017

Funding is allocated to states based on each state's share of incurred claims and uninsured individuals below the poverty line. To receive funding after 2019, states must provide matching funds at a rate that varies from 7% to 50% based on the year and whether the state applied for funding.

The bill increases appropriations for 2020 by \$15 billion for maternity coverage, newborn care, and services for individuals with mental health or substance use disorders.

The bill establishes the Federal Invisible Risk Sharing Program, administered by the CMS, to pay health insurers for certain individuals' claims in order to lower premiums in the individual market. The bill appropriates \$15 billion for this fund for 2019-2026.

(Sec. 133) Health insurers must increase premiums by 30% for one year for enrollees in the individual market who had a break in coverage of more than 62 days in the previous year. States with programs under this bill to provide financial assistance to high-risk individuals or stabilize health insurance premiums in the individual market and states participating in the Federal Invisible Risk Sharing Program may apply for a waiver to allow health insurers, for individuals with a break in coverage, to vary premiums based on an individual's health status instead of increasing premiums by 30%.

The bill appropriates \$8 billion for the Patient and State Stability Fund to be allocated to states with a waiver to allow premiums to vary by health status in order to reduce costs for individuals whose premiums increased due to the waiver.

(Sec. 134) Beginning in 2020, health insurance benefits no longer must conform to actuarial tiers (e.g., silver level benefits).

(Sec. 135) The bill increases the ratio by which health insurance premiums may vary by age, from a three to one ratio to a five to one ratio. This ratio may be preempted by states.

(Sec. 136) States may apply to the Department of Health and Human Services (HHS) for waivers to increase the ratio by which health insurance premiums may vary by age and to waive the requirement for insurance to cover the essential health benefits.

These waivers and the waiver to allow premiums to vary by health status do not apply to health plans offered through the CO-OP program, multi-state plans, plans the federal government makes available to members of Congress and their staff, or plans under PPACA provisions that allow state flexibility.

Subtitle E--Implementation Funding

(Sec. 141) The bill establishes and appropriates \$1 billion for the American Health Care Implementation Fund to provide for the implementation of programs in this bill

TITLE II--COMMITTEE ON WAYS AND MEANS

Subtitle A--Repeal and Replace of Health-Related Tax Policy

H.R. 1628 American Health Care Act of 2017

Sections 201-203 and 214 of the bill make several modifications to the premium assistance tax credit, which is currently provided to eligible individuals and families to subsidize the purchase of health insurance plans on an exchange.

(Sec. 201) This section makes taxpayers liable for the full amount of excess advance payments of the credit. (Under current law, liability for certain low-income households is limited to an applicable dollar amount.)

(Sec. 202) This section modifies the premium assistance tax credit to:

make the credit available for catastrophic qualified health plans and plans that are not offered through an exchange, but otherwise meet the requirements for qualified health plans;

prohibit the credit from being used for grandfathered or grandmothers health plans;

prohibit the credit from being used for health plans that cover abortions (other than abortions necessary to save the life of the mother or abortions with respect to a pregnancy that is the result of an act of rape or incest); and

revise the formula used to calculate the credit using a schedule that varies with household income and the age of individuals or family members.

Advance payments of the credit may not be made with respect to any health plan that is not enrolled in through an exchange.

(Sec. 203) This section modifies the small employer tax credit for employee health insurance expenses to: (1) prohibit the credit from being used for health plans that include coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest) for taxable years beginning after December 31, 2017; and (2) repeal the credit for taxable years beginning after December 31, 2019.

(Sec. 204) This section repeals the penalties for individuals who are not covered by a health plan that provides at least minimum essential coverage (commonly referred to as the individual mandate). The repeal is effective for months beginning after December 31, 2015.

(Sec. 205) This section repeals the penalties for certain large employers who do not offer full-time employees and their dependents minimum essential health coverage under an employer-sponsored health plan (commonly referred to as the employer mandate). The repeal is effective for months beginning after December 31, 2015.

(Sec. 206) This section delays the implementation of the excise tax on high cost employer-sponsored health coverage (commonly referred to as the Cadillac tax) until 2026. (Under current law, the tax goes into effect in 2020.)

(Sec. 207) This section permits tax-favored health savings accounts (HSAs), Archer Medical Savings Accounts (MSAs), health flexible spending arrangements (FSAs), and health

reimbursement arrangements to be used to purchase over-the-counter medicine that is not prescribed by a physician.

(Sec. 208) This section repeals the increase in the tax on distributions from HSAs and Archer MSAs that are not used for qualified medical expenses. The bill reduces the tax on HSA distributions from 20% to 10% and reduces the tax for Archer MSA's from 20% to 15% to return the taxes to the levels that existed prior to the enactment of PPACA.

(Sec. 209) This section repeals the limitation on FSA salary reduction contributions.

(Sec. 210) This section repeals the medical device excise tax for sales after December 31, 2016.

(Sec. 211) This section permits employers who provide Medicare-eligible retirees with qualified prescription drug coverage and receive federal subsidies for prescription drug plans to claim a deduction for the expenses without reducing the deduction by the amount of the subsidy.

(Sec. 212) This section reduces the income threshold used to determine whether an individual may claim an itemized deduction for unreimbursed medical expenses. The bill allows all taxpayers to claim an itemized deduction for unreimbursed expenses medical expenses that exceed 5.8% (10% under current law) of adjusted gross income.

(Sec. 213) This section repeals the additional Medicare tax that is imposed on certain employees and self-employed individuals with wages or self-employment income above specified thresholds.

(Sec. 214) The section modifies the premium assistance tax credit to allow a refundable, advanceable tax credit beginning in 2020 for certain individuals who purchase health insurance and who are not eligible for other sources of coverage.

To be eligible for the credit, an individual:

must be covered by health insurance that is certified by the state in which the insurance is offered as meeting the requirement of this bill;

may not be eligible for other specified sources of coverage;

must be either a U.S. citizen or national or a qualified alien; and

may not be incarcerated, other than incarceration pending the disposition of charges.

The credit is allowed for health insurance coverage that:

is offered in the individual health insurance market within a state;

substantially all of which is not for excepted benefits providing only limited coverage, such as dental, vision, or long-term care;

H.R. 1628 American Health Care Act of 2017

does not consist of short-term limited duration insurance; is not a grandfathered or grandmothers plan; and

does not include coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).

The bill specifies credit amounts which are based on age and adjusted gross income. It also limits the annual credit amount to \$14,000 per family.

The Department of the Treasury and HHS must prescribe regulations to establish and operate the advance payment program, with respect to the credit for individuals covered under qualified health plans (whether enrolled in through an exchange or otherwise), in such a manner that protects taxpayer information, provides robust verification of all information necessary to establish eligibility of taxpayer for advance payments, ensures proper and timely payments to appropriate health providers, and protects program integrity.

(Sec. 215) This section increases the limits on HSA contributions to match the sum of the annual deductible and out-of-pocket expenses permitted under a high deductible health plan.

(Sec. 216) This section permits both spouses of a married couple who are eligible for HSA catch-up contributions to make the contributions to the same HSA account.

(Sec. 217) This section permits an HSA to be used to pay certain medical expenses that were incurred before the HSA was established. If the HSA is established during the 60-day period beginning on the date that an individual's coverage under a high deductible health plan begins, the HSA is treated as having been established on the date coverage under the high deductible health plan begins to determine whether an amount paid is used for a qualified medical expense.

Subtitle B--Repeal of Certain Consumer Taxes

(Sec. 221) This section repeals the annual fee on branded prescription pharmaceutical manufacturers and importers.

(Sec. 222) This section repeals the annual fee imposed on certain health insurance providers based on market share.

Subtitle C--Repeal of Tanning Tax

(Sec. 231) This section repeals the 10% excise tax on the price of indoor tanning services.

Subtitle D--Remuneration From Certain Insurers

(Sec. 241) The section repeals a provision that prohibits certain health insurance providers from deducting remuneration paid to an officer, director, or employee in excess of \$500,000.

Subtitle E--Repeal of Net Investment Income Tax

(Sec. 251) This section repeals the 3.8% tax on the net investment income of individuals, estates, and trusts with incomes above specified amounts.

S. 2689 REGROW Act (Kirk)

Expressed opposition to this bill.

Status: 07/28/2017 Returned to the Calendar. Calendar No. 120.

This bill amends the Public Health Service Act to require the Food and Drug Administration (FDA) to conditionally approve certain cellular therapeutic products without initiation of large-scale clinical trials. A conditionally approved cellular therapy may be marketed if certain conditions are met, including conditions on the source, processing, and function of the cells in the product.

The sponsor of a conditionally approved cellular therapy must apply for approval of the product as a biological product within five years. Unless the FDA has decided not to approve the product, the product may be marketed during this five-year period and the FDA may permit continued marketing while the application is being reviewed.

An individual administering a conditionally approved cellular therapy must inform the recipient regarding conditional approval.

The premarket report for a medical device used for cellular therapy must include specified information regarding the preparation or delivery of the cellular therapy.

The approval of a medical device that is a cellular therapy must be based on laboratory performance testing and not clinical trials.

A medical device used for cellular therapy is subject to medical device classification. The FDA must not limit the use of these devices to only specific cell types unless unique to the use of the device.

The Center for Biologics Evaluation and Research has primary jurisdiction for premarket review of combination products that act primarily through cellular components.

The Department of Health and Human Services must work with stakeholders to promote the development of standards for regenerative medicine products.

S. 1048 Enhanced Clinical Trial Design Act of 2017 (Hatch)

Discussed Enhance Clinical Trial Design Act

Status: 05/04/2017 Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Shown Here:

Introduced in Senate (05/04/2017)

Enhanced Clinical Trial Design Act of 2017

This bill requires the Food and Drug Administration (FDA), in coordination with the National Institutes of Health, to convene a meeting to discuss clinical trial inclusion and exclusion criteria.

The FDA must report on the meeting and issue guidance regarding eligibility criteria for clinical trials.

The Government Accountability Office must report on individual access to investigational drugs for serious conditions through the FDA's expanded access program (i.e., compassionate use).

The FDA must streamline review by institutional review boards of expanded access protocols for individual patients.

The bill amends the Federal Food, Drug, and Cosmetic Act to require the manufacturer or distributor of an investigational drug for a serious condition that is designated a breakthrough therapy, fast track product, or regenerative advanced therapy to publish its expanded access policy not later than 15 days after the designation.

H.R. 2327

PAWS Act of 2017

(DeSantis)

Discussed the provision of service dogs for veterans and the PAWS Act.

Status: 09/26/2017 Subcommittee Hearings Held.

Shown Here:

Introduced in House (05/03/2017)

Puppies Assisting Wounded Servicemembers Act of 2017 or the PAWS Act of 2017

This bill directs the Department of Veterans Affairs (VA) to carry out a five-year pilot program under which it provides grants to eligible nonprofit organizations to provide service dogs to veterans who suffer from post-traumatic stress disorder after completing other evidence-based treatment.

An organization that receives a grant shall provide for each participating service dog and veteran: coverage by a commercially available veterinary health insurance policy, hardware clinically determined to be required by the dog to perform the tasks necessary to assist the veteran,

payments for travel expenses to obtain the dog, and travel expenses required to obtain a replacement service dog.

To be eligible for a grant, an organization must: (1) agree to cover all costs in excess of the grant amount to guarantee such benefits, (2) be certified by Assistance Dogs International, (3) provide one-on-one training for each service dog and recipient for 30 hours or more over 90 days or more, and (4) provide an in-house residential facility or other accommodations nearby in which service dog recipients stay for a minimum of 10 days while receiving at least 30 hours of training.

The VA shall develop metrics to measure the improvement in psychosocial function and therapeutic compliance and changes independence on prescription narcotics and psychotropic medication of veterans participating in the program.

The Government Accountability Office must report to Congress on the methodology used for the pilot program.

S.601**Senator Paul Simon Study Abroad Program
Act of 2017****(Durbin)**

Discussed importance of this bill.

Status: 03/09/2017 Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Shown Here:

Introduced in Senate (03/09/2017)

Senator Paul Simon Study Abroad Program Act of 2017

This bill amends title VII (Graduate and Postsecondary Improvement Programs) of the Higher Education Act of 1965 to establish, as part of the Fund for the Improvement of Postsecondary Education (FIPSE) program, the Senator Paul Simon Study Abroad Program.

It authorizes the Department of Education, under the FIPSE program, to award Senator Paul Simon Study Abroad Program grants to institutions of higher education (IHEs), or consortia of IHEs, to provide and expand study abroad opportunities for undergraduate students.

S. 128**BRIDGE Act****(Graham)**

Discussed this bill.

Status 01/12/2017 Read twice and referred to the Committee on the Judiciary.

Shown Here:

Introduced in Senate (01/12/2017)

Bar Removal of Individuals who Dream and Grow our Economy Act or the BRIDGE Act

This bill amends the Immigration and Nationality Act to provide that the Department of Homeland Security (DHS): (1) shall grant a three-year provisional protected presence to a qualifying alien, (2) may not remove the alien from the United States unless such protected presence is rescinded, and (3) shall provide such alien with employment authorization.

An alien is eligible for such protected presence and employment authorization if the alien: (1) was born after June 15, 1981; (2) entered the United States before attaining 16 years of age; (3) continuously resided in the United States since June 15, 2007; (4) was physically but unlawfully present in the United States on June 15; (5) on the date the alien files an application the alien is present in the United States, is enrolled in school or in an education program assisting students in obtaining a high school diploma, has graduated or obtained a certificate of completion from high school or a general educational development certificate, or is an honorably discharged U.S. Coast Guard or Armed Forces veteran; (6) has not been convicted of a felony, a significant misdemeanor, or three or more misdemeanors not occurring on the same date and not arising out of the same act; and (7) does not otherwise pose a threat to national security or a threat to public safety.

The bill: (1) provides for confidentiality of application information, with certain national security and law enforcement exceptions; and (2) sets forth the criteria under which DHS may rescind protected presence.

An alien granted protected presence is not considered to be unlawfully present in the United States during such period.

An alien must be at least 15 years old, unless in removal proceedings, to apply for protected presence.

DHS may provide for an application fee and for fee exemptions.

DHS may not: (1) remove an alien who appears prima facie eligible for protected presence while the alien's application is pending, or (2) refer individuals whose cases have been deferred pursuant to the Deferred Action for Childhood Arrivals Program (DACA) or who have been granted protected presence to U.S. Immigration and Customs Enforcement.

A DACA alien is deemed to have protected presence through the expiration date of his or her deferred action status.

H.R. 4392

To provide that the provision of the Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs final regulation relating to changes in the payment amount for certain drugs and biologicals purchased under the 340B drug discount program shall have no force or effect, and for other purposes.

(McKinley)

Expressed support for this bill. Opposed cuts to Medicare reimbursements to 340B institutions.

Status: 11/17/2017 Referred to the Subcommittee on Health.

This bill nullifies a rule finalized by the Centers for Medicare & Medicaid Services on November 13, 2017, that modifies payment under Medicare for certain drugs purchased through the 340B discount program.



OFFICE OF GOVERNMENT RELATIONS

State and Federal Meetings, Events and Tours

As a service to the University of Colorado, the Office of Government Relations coordinates and staffs many state and federal meetings, events and tours on the Hill in Washington, DC, at the Colorado State Capitol, and on each of the university's four campuses. Highlighted below are a few of the many activities we participated in during the year.

State Relations

The State Relations team met with many university groups to give legislative updates during the state session and during the interim. The activities for these meetings included securing state elected and appointed officials and legislators to speak with the groups; providing tours of the State Capitol; and talking with them about advocacy on behalf of the university and higher education; and providing legislative updates at their meetings on campus.

- These groups included, but were not limited to: Staff Council from all four campuses and system; Excellence in Leadership Program; School of Medicine Faculty Senate; UCB Student Government

Highlighted below are some of the meetings and events we helped facilitate or where we staffed legislators:

- On January 6th, Senator Rhonda Fields (D-Aurora) hosted a roundtable to discuss prevention of sexual assault on college campuses. Heather R. staffed.
- On February 22nd, CU Anschutz Medical Campus hosted a Women in STEM Town Hall. Senator Kevin Priola (R-Henderson), Representatives Dafna Michaelson Jenet (D-Commerce City), and Chris Hansen (D-Denver) all participated on the panel.
- February 24th, Lt. Governor Donna Lynne gave a speech at the WILD Summit, hosted by Leeds Women's Council.
- On February 28th, Senator Michael Merrifield (D-Colorado Springs) served as a panelist for a CU Denver School of Public Affairs event. The event topic was "Right-To-Die in Colorado: Issues and Implications."
- March 7th, CU Boulder's 2nd Annual Aerospace Summit.
- March 9th, Governor Hickenlooper spoke at the CU Real Estate Center 20th Annual Real Estate Forum.
- March 20, 2017 Aerospace Day at the Capitol.
- April 3rd, Anschutz Student Advocacy Day. AMC students were invited to the Capitol where they listened to floor work and heard from Senators Kevin Priola (R-Henderson), Nancy Todd (D-Aurora), Dominick Moreno (D-Commerce City) and Representatives Dafna Michaelson Jenet (D-Commerce City) and Chris Hansen (D-Denver). Senator Todd introduced the students on the floor.
- April 12th, Senator Rhonda Fields (D-Aurora) hosted a town hall event at Anschutz Medical Campus.
- On April 19th, University of Colorado Denver Executive Director of Continuing & Professional Education, Dr. Shannon Hagerman testified in favor of HB17-1332 Teachers Nonpublic Child Care & Preschool Facility.
- On April 25th, Representative Dave Williams (R-Colorado Springs) served as a panelist for a CU Denver School of Public Affairs event. The event topic was "Sanctuary: Local Priorities and Federal Immigration Enforcement."

- On May 12th, legislators attended an exclusive unveiling of the Marcus Institute for Brain Health, a first-of-its-kind institute serving military veterans at the Anschutz Medical Campus.
- On May 31, 2017, Governor John Hickenlooper signed [HB 17-1332](#), Teachers Nonpublic Child Care & Preschool Facility at the University of Colorado Denver. This CU initiated bill allows early childhood education teachers working in a private or community based setting to enroll in an alternative teacher program. Prior to this bill, only those working in public early childhood education centers were eligible for enrollment.
- On June 1, 2017, Governor Hickenlooper signed [HB 17-1004](#), College Credit for Military Education and Training. This bill requires all campuses to have a policy for awarding credit for military learning. It also directs the GE Council to establish common standards for GT pathways designation of military prior learning.
- CU Advocates hosted “CU Celebration” events this July in Grand Junction, Pueblo and Fort Morgan to welcome new and incoming students from the Western Slope, southern, and northeastern Colorado who plan to attend a CU campus. To help welcome the new students and their families to the CU family, State Representative Yeulin Willett (R-Grand Junction) attended the Grand Junction event, State Senator Larry Crowder (R-Alamosa) attended the Pueblo event and State Representative Jon Becker (R-Fort Morgan) was in attendance at the Fort Morgan event.
- On August 21, 2017, members of the Capital Development Committee were given a tour of the Center for Personalized Medicine at Anschutz Medical Campus. Representatives Daneya Esgar (D-Pueblo), Jon Becker (R-Fort Morgan), and Chris Hansen (D-Denver), and Senators Randy Baumgardner (R-Cowdery), and John Kefalas (D-Larimer) were in attendance.
- At the September 9th CU football game, State Senators Jerry Sonnenberg (R-Sterling), Lucia Guzman (D-Denver) and State Representatives KC Becker (D-Boulder) and Jon Becker (R-Ft. Morgan) (not in attendance) were honored as 2017 Legislators of the Year for sponsoring [Senate Bill 17-267](#), the Sustainability of Rural Colorado Act, a bill that turns the Hospital Provider Fee into an enterprise, giving the state legislature the flexibility and resources to manage the budget needs of Colorado. Senator Kevin Priola (R-Adams County), and Representatives Edie Hooton (D-Boulder) and Yeulin Willett (R-Grand Junction) received the 2017 Legislator of the Year award for sponsoring CU initiated, [Senate Bill 17-41](#), Higher Education Employment Contract Terms, providing contract flexibility for cash funded auxiliary positions at our campuses.
- Senator Kevin Priola (R-Henderson) and Representative Edie Hooton (D-Boulder) were recognized at the October 4th Buffalo Belles luncheon.
- Senator Chris Holbert (R-Parker) spoke to a CU Denver Intro to Public Administration and Public Service class on October 12th.
- In October, Representative Dafna Michaelson Jenet (D-Commerce City), and Senator Dominick Moreno (D-Commerce City) toured the National Behavioral Health Innovation Center at the Anschutz campus with Executive Director Matt Vogl.
- On October 19th, Representative Dominique Jackson (D-Aurora) attended the CCP Community Network dinner at the Anschutz campus.
- On November 6th, Chancellor Elliman presented to legislators apart of the COPIC group at the Center for Advancing Professional Excellence (CAPE).
- On December 16th, Representative Chris Hansen (D-Denver) joined CU Denver Chancellor Dorothy Horrell and President Bruce Benson at the CU Denver commencement ceremony.

- Legislative Delegation Luncheons were held with campus leaders and legislators serving near their respective campuses.

2017 CU Advocates Events

- CU Advocacy Day at the Capitol was held on January 31, 2017. There were more than 200 attendees at the event including CU Advocates, alumni, donors, legislators, regents and friends. The program included remarks from Lt. Governor Donna Lynne, CU President Bruce Benson, CU Denver Chancellor Dorothy Horrell, Vice President of Government Relations Tanya Kelly-Bowry, and Vice President of Budget and Finance Todd Saliman, among others. Following the event at the Capitol, legislators and advocates were invited to Benson Mineral Group for a reception. The events were attended by 33 legislators! Legislators in attendance included Senators Jack Tate (R-Centennial), Vicki Marble (R-Fort Collins), Matt Jones (D-Louisville), Randy Baumgardner (R-Cowdry), Stephen Fenberg (D-Boulder), Bob Gardner (R-Colorado Springs), Owen Hill (R-Colorado Springs), Andy Kerr (D-Lakewood), Michael Merrifield (D-Colorado Springs), Tim Neville (R-Littleton), Kevin Priola (R-Henderson), Nancy Todd (D-Aurora), Irene Aguilar (D-Denver), Cheri Jahn (D-Wheat Ridge), Representatives Terri Carver (R-Colorado Springs), Yeulin Willett (R-Grand Junction), Chris Hansen (D-Denver), Paul Rosenthal (D-Denver), Jonathan Singer (D-Boulder), Jeff Bridges (D-Greenwood Village), Leslie Herod (D-Denver), Paul Lundeen (R-Monument), Larry Liston (R-Colorado Springs), Barbara McLachlan (D-Durango), Jovan Melton (D-Aurora), Patrick Neville (R-Franktown), Dan Pabon (D-Denver), Bob Rankin (R-Carbondale), Lang Sias (R-Arvada), Dan Thurlow (R-Grand Junction), Donald Valdez (D-La Jara), Dave Williams (R-Colorado Springs), Jim Wilson (R-Salida).

Federal Relations

The Federal Relations team arranged, facilitated and staffed meetings with congressional members, federal agency officials, and staffers both in Washington, DC and on all four CU campuses throughout the year. We also set up and staffed Hill visits for University of Colorado leadership including Chancellors Elliman and Reddy as well as Regents Sue Sharkey and Jack Kroll. In addition, we set up and staffed Hill visits for key campus professionals including John Reilly, CU Anschutz Medical Campus Dean of School of Medicine; Lily Marks, Vice President for Health Affairs; Terri Fiez, Vice Chancellor for Research at CU Boulder; Waleed Abdalati, Director at the Cooperative Institute for Research in Environmental Services (CIRES); and other key faculty from all four campuses. We set up and staffed meetings and tours at the four campuses throughout the year for staff from various congressional committees and from the Colorado congressional delegation. Tanya Kelly-Bowry, David Sprenger, Jack Waldorf, Kent Springfield, and Heather Bené represented CU at several of these events in DC and Colorado throughout the year.

Heather and Kent actively participated in federal relations briefings and conferences hosted by the Association of Public and Land-grant Universities (APLU) and the Task Force on American Innovation (TFAI). Heather attended the APLU CGA Summer meeting in Seattle. Kent attended the Association of American Medical Colleges (AAMC) and the American Hospital Association (AHA) Government Relations meetings, including the AAMC Annual trip in Boston. Heather attended National Humanities Alliance (NHA), Consortium of Social Science Association (COSSA), The Science Coalition (TSC), Association of American Universities (AAU), NAFSA: Association of International Educators, and Compete America meetings. Dave attended a cybersecurity conference in San Jose. Dave attended a cybersecurity conference in Kansas City.

The federal team attended and staffed several briefings on the Hill in 2017. Heather and Kent attended several briefings on the Hill with faculty from the CU Boulder and CU Anschutz Medical campuses.

An important legislative success for the University of Colorado was the passage of the 21st Century Cures Act, originally conceived by Congresswoman Diana DeGette along with House Energy and Commerce Committee Chairman Fred Upton (MI). The two worked for years to craft a bill that would improve research and care delivery – taking input from thousands of outside groups and advocates. Congresswoman DeGette worked closely with faculty members and leadership at CU Anschutz Medical Campus and CU Boulder to ensure that our ideas were considered in the process. The final legislation will provide an additional \$4.8 billion in new funding for the National Institutes of Health (NIH) over the next ten years outside of the traditional appropriations process. Those NIH funds include \$1.8 billion for cancer research and \$1.56 billion for mapping the human brain through the NIH Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative. Additionally, the bill includes \$1 billion to help states fight the opioid abuse epidemic over the next two years. The final 21st Century Cures legislation includes a number of other important provisions meant to bring reform and innovation to research and clinical care delivery. These include efforts to harmonize regulations governing research in order to reduce the amount of “red tape” faced by researchers, reform the federal approach to mental healthcare, and a streamlining of the Food and Drug Administration (FDA) oversight of drugs and medical devices. Other members of the Colorado congressional delegation collaborated to add their input to 21st Century Cures – many of which were included in the final bill. Senator Michael Bennet worked with his Senate colleagues to add provisions improving electronic health records, developing a pathway for “breakthrough” medical devices at the FDA, incentivizing drugs to combat antibiotic-resistant bacteria, and adding patient focus into drug development. Congressman Mike Coffman worked hard to see provisions included in the bill that would provide incentives to get regenerative medicine therapies to market faster. Still other members – including Senator Cory Gardner, Congressman Scott Tipton, Congressman Doug Lamborn, Congressman Jared Polis, and Congressman Ed Perlmutter supported the legislation in its final form. Kent was an important part of the collaboration with the delegation and the University of Colorado.

A top issue for the Federal Team in 2017 was the [Tax Cuts and Jobs Act \(PL 115-97\)](#). In December 2017, Congress approved and President Trump signed into law this sweeping tax code overhaul that will have lasting impacts on higher education. The measure was approved along party lines in both the House (224-201) and Senate (51-48). Fortunately, lawmakers heeded many of CU's concerns and removed some of the most difficult and costly provisions for students and families from the bill. The federal team coordinated with CU leadership, students, alumni and other advocates to ensure CU's concerns were addressed as the legislation was debated and modified. The overhaul progressed at an extremely fast pace, lasting less than two months from bill introduction on November 2 to becoming federal law on December 22. As such, university advocates had to mobilize quickly and effectively to influence the outcome. This happened at all levels of the university. President Benson and all four Chancellors voiced their concerns to the Colorado congressional delegation in a letter to the Colorado's House delegation, a letter to Senator Michael Bennet and Senator Cory Gardner, as well as through personal outreach; CU Advocates from across the country engaged directly with their own lawmakers;

CU students hosted demonstrations and passed resolutions on policy areas of concern; Regents Sue Sharkey and Jack Kroll traveled to Washington, DC to raise CU's concerns face-to-face with Colorado lawmakers; among many other activities.

As a result, the law preserves many important provisions in the tax code that help students and families. Most notably, the legislation maintains the tax exemption for qualified tuition waivers, including for graduate teaching and research assistants, as well as university employees and their dependents; the student loan interest deduction; the \$4,000 above-the-line tuition reduction; the tax exemption for up to \$5,250 in employer-provided tuition assistance; the American Opportunity Tax Credit; and the Lifetime Learning Credit.

However, not all of the provisions affecting higher education were changed. While the new law preserves the charitable giving deduction, it is nonetheless expected to decrease charitable donations to universities and other non-profit organizations by doubling both the standard deduction, which will reduce the number of itemizers, and the estate tax exemption. It likewise eliminates the charitable deduction for seat-license fees at college sporting events. In addition, while the law retains tax-exempt private activity bonds to finance public infrastructure projects, it completely eliminates the use of advanced refunding bonds, which CU has previously used to save millions in borrowing costs. The new law is also expected to increase regulatory burden and costs associated with university income derived from activities that aren't directly related to the academic mission. Among the new provisions receiving the most public attention is a new tax on private college endowments. While this provision will not impact CU as currently written, we remain concerned about the precedent set by the decision to tax university endowments. Finally, the new law limits the size of the state and local tax deduction, which could make it more challenging for states like Colorado to generate the revenues needed to support public universities.

The federal team worked throughout the year with the Colorado congressional delegation in an effort to support programmatic requests through the annual appropriations process that would enable CU to best serve their many interests. For FY2018 and FY2019 some of the letters that were signed our delegation include:

- National Endowment for the Humanities (NEH) – Representatives Mike Coffman, Diana DeGette, and Jared Polis
- National Institutes of Health (NIH) – Senators Michael Bennet and Cory Gardner, Representatives Mike Coffman, Diana DeGette, Ed Perlmutter, and Jared Polis
- National Science Foundation (NSF) – Senator Michael Bennet, Representatives Diana DeGette, Ed Perlmutter, and Jared Polis
- Center for Disease Control (CDC) National Institute for Occupational Safety and Health (NIOSH) – Senator Michael Bennet, Representatives Mike Coffman, Diana DeGette, Ed Perlmutter, and Jared Polis
- Agency for Healthcare Research and Quality (AHRQ) – Representative Mike Coffman
- National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH) – Senator Michael Bennet
- Teacher Quality Partnership program at the Department of Education – Senator Michael Bennet, Representatives Diana DeGette and Ed Perlmutter
- Title VI (International Education Programs) - Representatives Jared Polis and Diana DeGette
- National Oceanic and Atmospheric Administration's Ocean and Atmospheric Research (NOAA OAR) – Representatives Jared Polis and Ed Perlmutter

- National Space Grant College and Fellowship Program - Senator Cory Gardner, Representatives Diana DeGette, Jared Polis, Scott Tipton, Ken Buck, Doug Lamborn, Mike Coffman, and Ed Perlmutter
- Department of Energy (DOE) Science & Technology Programs - Senator Cory Gardner, Senator Michael Bennet
- National Aeronautics and Space Administration's (NASA) Office of Education - Senator Michael Bennet

Jack Waldorf also helped organize a NOAA Cooperative Institute (CI) letter signed by 16 CI Directors nationwide to both House and Senate appropriations expressing support for robust funding for NOAA OAR in FY2019.

Highlighted below are just a few of the many events our office helped to arrange and/or participated in in 2017:

- The Consortium of Social Science Associations (COSSA) recognized Senator Cory Gardner with the organization's 2017 Distinguished Service Award for his work with Senator Gary Peters (D-MI) in passing the American Innovation and Competitiveness Act (AICA). This bill reauthorized the policies governing the National Science Foundation (NSF), the National Institute of Science and Technology (NIST) and federal programs on innovation, manufacturing and STEM education. Myron Gutmann, Director of CU Boulder's Institute of Behavioral Science (IBS), helped present the award to Senator Gardner at a March ceremony on Capitol Hill. Gutmann previously served in COSSA's leadership and is a former director of NSF's Directorate for the Social, Behavioral and Economic Sciences. While in DC, Gutmann also attended COSSA's annual meeting and met with the Colorado delegation to advocate for support for social and behavioral science research.
- In May, Congressman Coffman visited the CU Anschutz Medical Campus for the announcement of a \$38 million philanthropic commitment by the Marcus Foundation, which was established by Bernard Marcus, retired co-founder of The Home Depot. This extraordinary gift will make possible a one-of-a-kind traumatic brain injury (TBI) institute that promises to transform health care for military veterans throughout Colorado and the Rocky Mountain region.
- Greg Ucker and Tom Sparn represented CU Boulder and the Laboratory for Atmospheric and Space Physics (LASP) at the Coalition for Aerospace and Science's (CAS) inaugural exhibition on Capitol Hill. Ucker and Sparn presented a poster on the CLARREO Pathfinder Mission. The June 17 event honored Representative John Culberson (R-TX), Chairman of the House Appropriations Subcommittee on Commerce, Justice, Science (CJS), in recognition of his longstanding support for NASA. Ucker and Sparn spoke directly with Chairman Culberson about CLARREO Pathfinder, as well as representatives from other congressional offices and NASA. The Coalition for Aerospace and Science is an alliance of industry, university, and science organizations united in support for robust and sustained federal support for NASA.
- Staffers from the office of Congressman Perlmutter toured the CU Denver campus during the summer. While on campus, the group met with Chancellor Dorothy Horrell and Chief of Staff Regina Kilkenny for an overview of CU Denver. Dean Rebecca Kantor, Dean of the School of Education and Human Development talked about the programs being

offered by SEHD. The Financial Aid & Scholarships Office showcased the services that they provide to students. Finally, the staffers toured the site of the Student Wellness Center, which is currently under construction.

- In August, the CU Anschutz Medical Campus hosted Senator Michael Bennet and Food and Drug Administration (FDA) Commissioner Scott Gottlieb. The day included a press conference with Senator Bennet, Commissioner Gottlieb, Children's Hospital Colorado CEO Jena Hausmann, and Dr. Lia Gore to celebrate the RACE for Children Act (S. 456), which had been recently signed into law. The legislation will clear the way for the FDA to approve more adult cancer therapies for pediatric use. In the morning, CU Anschutz Medical Campus and the Colorado BioScience Association (CBSA) cohosted a roundtable for the Senator and Commissioner with CU faculty leaders and bioscience CEOs from across the state. CU Anschutz Medical Campus Chancellor Don Elliman and CBSA's CEO April Giles joined the Senator and Commissioner in leading a discussion about how the FDA can best meet the challenges of regulating innovative cures, therapies and devices. Later in the day, Senator Bennet and Commissioner Gottlieb toured the University of Colorado Hospital Emergency Department. UC Health CEO Liz Concordia, Emergency Department Chair Rich Zane, and Dr. Jason Hoppe gave the Senator and Commissioner an update on efforts to reduce unnecessary opioid prescribing and respond to the challenges of handling patients facing a crisis related to substance abuse. Afterwards, the Senator and Commissioner toured CeDAR - the Center for Dependency, Addiction, and Rehabilitation, where they met with members of the Colorado Consortium for Prescription Drug Abuse Prevention to discuss potential public policy solutions to the opioid crisis as well as some of the efforts currently underway to improve access to treatment in rural and underserved parts of Colorado.
- On September 26, CU Boulder Senior Vice Chancellor and Chief Financial Officer Kelly Fox met with Congressman Polis to discuss student debt and CU Boulder's tuition guarantee. While in D.C., Fox also participated in a congressional briefing panel held by the National Association of College and University Business Officers (NACUBO).
- On September 28, Dr. Claire Rafferty, Head of Education and Outreach at the National Solar Observatory (NSO), along with senior scientist Matt Penn, testified at a congressional hearing on the solar eclipse. Penn is the Principal Investigator for the Citizen CATE project, which collected images of the August 21 total solar eclipse from citizen scientists across the U.S.
- The Rocky Mountain Research Data Center Institute of Behavioral Science at CU Boulder held its Grand Opening celebration on September 28. CU Boulder Vice Chancellor for Research and Innovation Terri Fiez and Director of CU Boulder's Institute of Behavioral Science (IBS) Myron Gutmann hosted the event. The RMRDC is a Federal Statistical Data Center housed at IBS and represents a consortium of institutional partners including all four CU campuses, plus Colorado State University, University of Wyoming, University of Denver, Colorado School of Mines, the Colorado State Government, and others. It is a secure research site where researchers conduct statistical analyses on nonpublic data collected by the U.S. Census Bureau and other statistical agencies. Staff from the Office of Senator Bennet attended the ribbon cutting ceremony.
- Leaders from Colorado's security, technology, veteran, and academic communities gathered at the Idea Forge Commons on September 29 to participate in a conversation

about the future of defense innovation in Colorado. Staff from the offices of Senator Gardner and Representatives Polis, Perlmutter, and Coffman attended the event.

- UCCS, in partnership with the Office of Government Relations and the Daniels Fund, held the first Mountain West Cybersecurity Consortium meeting. UCCS, in coordination with higher education partners throughout Colorado, New Mexico, Utah, and Wyoming, intends for the consortium to connect existing and future cybersecurity research, education, and community partnerships to develop innovative cyber solutions and a competent, agile workforce. CU Boulder, UCCS, CU Denver, Colorado State University, CSU Pueblo, University of Northern Colorado, the Metropolitan State University of Denver, New Mexico State University, Colorado Mesa University, Western State Colorado University, and Pikes Peak Community College were all represented.
- On October 25, The House Appropriations Labor-HHS-Education Subcommittee held the first-ever Congressional hearing on Down syndrome research – focusing on a research project developed on the CU Anschutz Medical Campus. The October hearing gave lawmakers a chance to hear first-hand about the enormous scientific potential of the Human Trisome Project, an effort by CU’s Linda Crnic Institute for Down Syndrome to build a cohort study of individuals with the condition that causes Down syndrome – Trisomy 21.

Among those who testified at the hearing were Dr. Joaquin Espinosa, PhD, executive director of the Crnic Institute and Michelle Sie Whitten, president and co-founder of the Global Down Syndrome Foundation, which funds and supports the Human Trisome Project (HTP). Congressman Mike Coffman attended the hearing to introduce Ms. Whitten and Dr. Espinosa. Also attending the event were Representatives Cathy McMorris-Rodgers, Pete Sessions, and Cheri Bustos – all noted advocates for individuals with Down syndrome in Congress.

- UCCS Chancellor Venkat Reddy outlined an agreement with Cisco to assist in designing a strategic plan for a Cybersecurity Workforce Development Center in conjunction with the National Cybersecurity Center. Cisco representatives will work with UCCS faculty to develop capabilities for the development of curriculum and training of people to work in cybersecurity, joint research opportunities and student internships.
- The 2017 National Cyber Symposium, sponsored by the National Cybersecurity Center in partnership with UCCS and Exponential Impact, a Colorado Springs tech accelerator company, was held at the Broadmoor in Colorado Springs. The symposium had several prominent speakers from the world of cyber security. The kickoff evening featured Governor John Hickenlooper and retired General David Petraeus, former director of the Central Intelligence Agency.
- Congressman Jared Polis attended and spoke at CU Boulder's Veterans Day Ceremony held at the Glenn Miller Ballroom. The Congressman was joined in giving remarks by Vice Chancellor for Student Affairs, Christina Gonzalez, and CU Regent Jack Kroll. The November 10 event keynote was delivered by Rear Admiral Rick Snyder of the United States Navy. Earlier that week, the Congressman's staff held open office hours on campus with a representative from the Veterans Administration in the Office of Veteran Services to help CU student veterans with their claims.
- Madalyn Kern, a Ph.D. alum from CU Boulder, attended several visits with congressional offices in Washington, DC. She spoke with staff from the offices of Senator Cory Gardner and Michael Bennet, as well as Congressmen Mike Coffman and Doug Lamborn. She also met with Senate Commerce Committee Majority and Minority Staff,

as well as Congressmen Ed Perlmutter and Jared Polis. The visits coincided with Madalyn's participation in the inaugural University Innovation and Entrepreneurship Showcase co-hosted by AAU and APLU, on November 13 and 14. Her startup, ReForm, Inc., is focused on developing a new prosthetic socket device which is more adaptable and accessible to amputees in the U.S. and in the world's developing nations.

- In December, CU leadership including CU Boulder Chancellor Philip DiStefano, CU Boulder Provost Russell Moore, UCCS Chancellor Venkat Reddy, CU Denver Provost Roderick Nairn, and CU Denver Dean of the School of Education and Human Development Rebecca Kantor participated in a call with Congressman Jared Polis to discuss proposed changes to the Higher Education Act *The Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act* (H.R. 4508).
- Congressman Polis held a 30 minute Student Tele-Town Hall on December 6, with students to provide an overview of the proposed changes to HEA and how these changes would impact students.
- Congresswoman Diana DeGette toured the Rocky Mountain Alzheimer's Disease Center (RMADC) located on the CU Anschutz Medical campus to learn more about the dementia research and clinical care taking place there. During her visit, the Congresswoman met with lead researchers and clinicians at the facility. She also met with Chancellor Don Elliman, School of Medicine Dean John Reilly, and head of the Department of Neurology, Ken Tyler.
- Congressman Jared Polis met with Stew Elliott, Director of the Office of Veteran Services before taking part in a question and answer panel with veteran students in August. In a separate event which took place in September, Congressman Polis met with Chancellor Phil DiStefano, Dean of Education Kathy Schultz, and toured the National Snow and Ice Data Center (NSIDC) to learn about the work taking place there.
- The Marcus Institute for Brain Health (MIBH), located at the CU Anschutz Health and Wellness Center, will serve military veterans with TBI and related psychological health conditions. It will open its doors to patients this summer. James Kelly, MD, will join as its executive director. Dr. Kelly led the National Intrepid Center of Excellence (NICoE) at the Walter Reed National Military Medical Center for seven years. NICoE has successfully treated more than 1,300 active-duty servicemen and women suffering from TBI and psychological health conditions. The Marcus Institute for Brain Health and the Steven A. Cohen Military Family Clinic will join a growing number of programs at CU Anschutz Medical Campus that provide services and research related to veterans care. Those include a dental clinic, service dog program, housing for veterans and families undergoing treatment, and mental and behavioral health services. The Steven A. Cohen Military Family Clinic is scheduled to open in the coming months near the CU Anschutz Medical Campus in Aurora. The clinic's primary focus will be serving post-9/11 veterans whose period of service included Operation Iraqi Freedom, Operation Enduring Freedom and Operation New Dawn. Veterans and their families will be treated for issues including post-traumatic stress, depression, anxiety, adjustment issues, anger, grief and loss, transition challenges, children's behavioral health and related concerns. Pre-9/11 veterans will be considered based on availability of service.
- Congressman Mike Coffman visited the University of Colorado Anschutz Medical Campus Gates Biomanufacturing Facility to discuss the promise of regenerative medicine therapies.

- Congressman Jared Polis visited CU Boulder on several occasions. Polis participated in a town hall in the University Memorial Center; in a meeting with students facilitated by the Office of Student Affairs; and discussions with CU Boulder faculty, administrators and stakeholders on federal research funding, as well as higher education policy. Congressman Polis also participated in a roundtable discussion focusing on the importance of maintaining a strong investment in federally-sponsored research hosted by Dr. Daniel Baker with the Laboratory for Atmospheric and Space Physics (LASP). Following the discussion, the Congressman toured LASP to get an update on current research taking place at the facility
- Kathryn Penzkover from CU Science Discovery as well as participants from the K-12 Science, Technology, Engineering, Mathematics (STEM) outreach program - met with their hometown legislators, including Congressman Jared Polis and Ed Perlmutter. Senator Cory Gardner's office also hosted the students for a tour of the Capitol. During the trip, the students also attended the Emerging Researchers National Conference in STEM, a national conference for young researchers sponsored by the National Science Foundation (NSF) and the American Association for the Advancement of Science (AAAS).

2017 Colorado Capital Conference

The 2017 Colorado Capital Conference, held in Washington, DC, was co-hosted by CU Anschutz Medical Campus Chancellor Don Elliman and our partners Colorado Mesa University, U.S. Senator Michael Bennet and U.S. Senator Cory Gardner. It was a very interesting time in our nation's capital this year, as the conference took place the week the replacement bill for the Affordable Care Act, was first dropped. Our group of 100 Coloradoans, which included business leaders from across the state, CU leadership, CU regents and a few students, had the opportunity to hear from a number of great policy leaders including Supreme Court Justice Neil Gorsuch, John Dickerson from CBS News, Senate Majority Leader Mitch McConnell (R-KY), Senate Minority Leader Chuck Schumer (D-NY), and Ambassador Ahn from South Korea. Our evening banquet keynote speaker was former Secretary of State Madeleine Albright. This annual event is a great example of one of our successful partnerships between CU and other Colorado institutions of higher education



Tanya Kelly-Bowry
Vice President

Tanya Kelly-Bowry was selected by President Benson and confirmed in October, 2008 by the Board of Regents, as vice president of government relations. She was chosen to lead the university's efforts to increase funding at the state and federal levels. Kelly-Bowry has more than 20 years of advocacy experience, having lobbied on behalf of higher education, human services and health care issues in both Colorado and Washington, D.C. She earned bachelor's degrees in international affairs and political science at CU-Boulder and a master's degree in nonprofit management from Regis University as a Colorado Trust Fellow. Kelly-Bowry also studied at Harvard University's John F. Kennedy School of Government as a member of the senior executives in state and local government.



Heather Bené
Director of Federal Relations

Heather Bené is the Director of Federal Relations for the University of Colorado and represents CU in Washington, DC. Bené specializes in higher education policy, which encompasses issues such as student financial aid, accreditation, campus safety, graduate education, etc. Other policy focuses in her portfolio include immigration, humanities, and the National Institutes of Health (NIH). Bené currently serves as co-chair on immigration issues for the Association of American Universities' (AAU) Council on Federal Relations (CFR). Previously, Bené worked for eight years in the Government Relations Office at her alma mater Oregon State University (OSU) on state and federal policy and advocacy. Bené managed legislative affairs for Oregon's Higher Education Coordinating Commission (HECC) during the 2014 legislative session and served as administrator to two HECC subcommittees. Bené has a master of public policy degree from OSU. Her graduate thesis analyzed university student voting behavior over six diverse election cycles. She also has bachelor of arts degrees from OSU in English and Political Science. As an undergraduate, Bené was recognized as student employee of the year by both OSU and the State of Oregon. She is the recipient of numerous scholastic awards for academic excellence, most notably the Waldo-Cummings Outstanding Student Award and the Oregon Laurels Graduate Scholarship.



Natalie Ellis
Executive Assistant of Federal Relations

Natalie Ellis is the Executive Assistant of Federal Relations. She supports a broad range of administrative, research, writing, and analytical duties that are designed to support CU's federal relations efforts. She prepares and sends out the quarterly Government Relations department newsletter. She also works closely with each congressional office to schedule Hill visits and assists with constituent requests regarding issues on campus. Natalie helps plan and coordinate federal events on CU campuses.

Additionally, she makes travel arrangements, drafts correspondence, and prepares department expense system reports. Natalie has a Bachelor of Arts in Communications from University of Nevada, Las Vegas.



Connie Johnson
Chief of Staff

In 2007, Connie Johnson joined the Office of Government Relations as the Senior Policy Analyst and Assistant Director. She is responsible for managing the day-to-day office operations, managing the department's budget and website, providing support to the Vice President and supporting state and federal activities. She monitors the healthcare legislation during the State session, and coordinates the Colorado Capital Conference for CU. Prior to CU, Connie served for over 18 years in higher education in Washington State. She has a B.S. in Accounting from Central Washington University, a Master of Public Administration from

the Daniel J. Evans School of Public Affairs at the University of Washington, and was a fellow in the 2008 CU Emerging Leaders Program.



Angela Rennick
Executive Assistant of State Relations

Angela Rennick is the Executive Assistant for State Relations. She supports a broad range of administrative duties that are designed to support CU's state relations efforts. She also assists with the state legislative session by drafting and updating legislator biographies, running reports on legislation being tracked, filing lobby reports and assisting with research requests. Angela has a Bachelor of Arts in International Studies from Colorado State University and a Master in Public Administration from the University of Colorado Denver School of Public Affairs.



Heather Retzko
Director of State and Federal Relations

Heather Fields is the Associate Director of State and Federal Relations. She is responsible for analyzing and tracking legislation during the state session, as well as preparing fact sheets for use with legislators. She also organizes state legislator tours and events and works with state legislative offices on constituent issues. Additionally, helps prepare correspondence and updates to the university community on legislation. She assists the lobby team with coverage of committee hearings and floor work at the Capitol. Heather worked in the office as a student assistant for three years. She also served as Executive Assistant to our state and federal

lobbyists, and Special Assistant to the Executive Director and Policy Analyst of State Relations. She has a Bachelor of Arts in Political Science from the University of Colorado at Boulder and a Master in Public Administration from the University of Colorado Denver School of Public Affairs. In FY 2012, Heather was a fellow in the CU Emerging Leaders Program.



Kirsten Schuchman
Associate Vice President of State Relations

Kirsten Schuchman serves as Associate Vice President of State Relations for the University of Colorado. She serves all four institutions in the CU system by taking the lead on much of the legislation affecting CU, as well as being the lead on system-wide capital construction funding and health care policy issues for the UCHHealth, University of Colorado Denver School of Nursing, and the CU Colorado Springs Beth El College of Nursing and Health Sciences. She also takes special interest in CU's issues related to research, technology transfer, academic programs and administration. Kirsten is an alumna of the 50 for Colorado 2005 program and is active in the Denver metro community. In her free time she enjoys spending time with her husband, daughters, family and friends, hiking, camping, traveling to exotic places and enjoying Denver. Kirsten has a Bachelor of Arts from the University of Virginia and a Master of Arts in Higher Education from the University of Michigan, Ann Arbor.



David Sprenger
Assistant Vice President of Federal Relations

David Sprenger, Assistant Vice President of Federal Relations, brings over fifteen years of firsthand professional experience in Washington, D.C. from both Capitol Hill and as a seasoned lobbyist prior to relocating to Colorado in 2017. David has extensive policy and political strategy knowledge having represented a wide variety of organizations. He has expanded the presence of the University of Colorado by developing strong and effective relationships with legislative staff, professional organizations, industry, and key advocacy groups. David supports the University of Colorado at both the system and campus levels both in federal affairs and as a corporate engagement officer for UCCS, CU Denver, and CU South Denver. David is highly motivated and engages efforts on behalf of the university to develop and pursue creative, effective and tailored solutions to fit the university's advocacy objectives. He brings a solid track record of close collaboration, project management, advancing exciting initiatives and delivering measurable successes. David, a Colorado native, holds a Masters in Public Policy from George Mason University and a Bachelor degree in Political Science and History from Regis University. In his free time, David enjoys traveling with his wife, Katie and finding time to fly fish the Rocky Mountain West.



Kent Springfield
Assistant Vice President of Research and Federal Relations

Kent serves as Assistant Vice President of Research and Federal Relations. He is the lead on all federal issues for the University of Colorado Anschutz Medical Campus and the University of Colorado Hospital. Kent represents Anschutz and UCH on issues including biomedical and healthcare research funding and policy, student financial aid, healthcare workforce issues, and healthcare delivery. He represents the University of Colorado System on issues related to intellectual property. Kent is active in the AAMC Government Relations Representatives, the AAU Council on Federal Relations, the AAHC Steering Committee and the American Association of Cancer Institutes. Kent serves at the Biomedical Task Force lead for the

APLU Council on Governmental Affairs. Prior to joining the University of Colorado, he spent five years as the Director of Government Relations for the George Washington University. He has a Bachelor of Arts in Political Communications and Master of Business Administration from GW.



Jack Waldorf

Assistant Vice President of Federal Relations & Outreach

Jack Waldorf serves as Assistant Vice President of Federal Relations & Outreach. Based in Denver, Jack is responsible for federal activities here locally and works with our Washington, DC-based team on federal policy issues impacting the University of Colorado System and its campuses, as well as the hospital. Prior to joining CU, Jack worked in both the United States House of Representatives and the United States Senate serving as a policy advisor for both education and health care issues, and comes to CU with a deep understanding in public policy and the legislative process at the federal level. Jack holds a Bachelor's degree in Political Science from the University of Colorado at Boulder. A Colorado native, Jack enjoys spending time with his wife, enjoying Colorado's outdoors, and cheering on Colorado's sports teams.