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2020 State Legislative Session [1]

August 3, 2020 by Natalie Barry [2]

After a long and unprecedented state legislative session, Monday, June 15 marked Sine Die for 2020. The legislature took a two-month recess from March 16 to May 26 due to COVID-19 and reconvened for three weeks to pass the state budget and other bills related to the pandemic.

We are incredibly grateful to the Joint Budget Committee (JBC) members and legislators who were tasked with making difficult decisions in the wake of an over $3 billion budget shortfall due to the impact of COVID-19 on the economy. Every department in Colorado endured cuts, including Higher Education. VP's Todd Saliman and Tanya Kelly-Bowry worked around the clock to lobby not only the higher education general fund allocation, but also to mitigate cuts to many of our campus programs like the College Opportunity Scholarship Initiative (COSI) [3], cybersecurity, and opioid addiction treatment.

Before COVID-19, the CU Government Relations team engaged CU stakeholders in many activities at the Capitol, including faculty presentations to committees, hosting campus groups for tours and legislator briefings, arranging meetings with legislators and CU leadership, and hosting events such as the CU 2020 Policy Kickoff [4] with the CU Advocates program.

Our team would like to give a special thank you to CU leadership, our campus liaisons, budget and legal teams and all of our incredible campus faculty and staff experts for providing critical feedback on legislation since we began this work in January.

Below is the 2020 legislative recap on the major legislative issues with impact to CU that passed this session. There were many other bills that were killed because of budget and time pressures and we anticipate seeing them again next session. Please visit this page [5] for a full list of bills and links to bill text.

Legislation with CU Impact:

College Credit for Work Experience (Reps. McLachlan, Baisley / Sens. Zenzinger and Story) The bill requires the Department of Higher Education to conduct a study on awarding academic credit for prior learning within all state institutions of higher education. An existing council charged with examining general education courses shall implement a plan for determining and awarding academic credit for postsecondary education based on work-related experience. Beginning in the 2022-23 academic year, unless a plan is implemented prior to then, institutions shall accept and transfer academic credit awarded for work-related experience as courses with guaranteed transfer designation or part of a statewide degree transfer agreement. CU's lobbyists worked with Vice President Mike Lightner and Jeremy Hueth to narrow the scope of the bill to GT Pathways and articulation agreements, along with giving institutions the flexibility to assess prior learning and award credit accordingly, rather than a statewide mandate on how that process works. **Status: Signed by the Governor**

HB20-1407 College Admission Use of National Test Score (Reps. Kipp, Baisley/Sens. Story, Zenzinger) For high school students who graduate in 2021, the bill temporarily allows institutions of higher education to forego a national assessment test score, like the ACT and SAT exams, as an eligibility criterion of admission standards. CU officially supported this bill, along with a coalition of institutions. **Status: Signed by the Governor**

SB20-123 Compensation and Representation of Student Athletes (Sens. Fields, Bridges/Reps. Coleman, Herod) Effective January 1, 2023, except as may be required by an athletic association, conference, or other group or organization with authority over intercollegiate athletics including the National Collegiate Athletic Association, an institution of higher education shall not uphold any rule, requirement, standard, or other limitation that prevents a student athlete of the institution from earning compensation from the use of the student athlete's name, image, or likeness (NIL). A student athlete's earning of compensation may not affect the student's scholarship eligibility. An association shall neither prevent a student athlete from earning compensation nor prevent an institution from participating in intercollegiate athletics because a student athlete receives compensation. Colorado was the 2nd state in the nation to pass a NIL bill. **Status: Signed by the Governor**

SB20-205 Sick Leave for Employees (Sens. Fenberg, Bridges/Reps. Becker, Caraveo) The bill creates the "Healthy Families and Workplaces Act" (act), which requires employers to provide paid sick leave to employees under various circumstances. On and after the effective date of the act through December 31, 2020, employers are required to provide each of their employees paid sick leave for employees to take for reasons related to the COVID-19 pandemic in the amounts and for the purposes specified in the federal "Emergency Paid Sick Leave Act" in the "Families First Coronavirus Response Act". Additionally, beginning January 1, 2021, the act requires all employers in Colorado to provide paid sick leave to their employees, accrued at one hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours. **Status: Signed by the Governor**

SB20-217 Enhance Law Enforcement Integrity (Sens. Garcia, Fields/Reps. Herod, Gonzales-Gutierrez) This bill requires local law enforcement and the Colorado State Patrol to use body-worn cameras and release recordings to the public, and to conduct data reporting about certain incidents and contacts with the public. The Division of Criminal Justice must post this reporting on its website and summarize it in an annual report. The POST Board must revoke peace officer certification for certain violations. State and local law enforcement are prohibited from certain enforcement actions in response to public demonstrations. The bill removes immunity for local law enforcement peace officers and requires local law

enforcement agencies to indemnify officers unless the officer did not act in good faith. The bill limits acceptable use of force by all peace officers and creates a duty to report excessive use of force. The Attorney General may intervene in instance where a government authority engages in a pattern or practice that deprives persons of their constitutional rights. Finally, the bill declares that the issues addressed within are a matter of statewide concern. Many of the amendments that were added to the bill reflect negotiations with public safety stakeholders. **Status: Signed by the Governor**

Healthcare-Related Legislation:

SB20-212 Reimbursement for Telehealth Services (Sens. Winter, Tate/Reps. Lontine, Soper) The bill prohibits a health plan from imposing restrictions on the technologies used for telehealth, requiring a previously established patient-provider relationship, or imposing additional requirements as a condition for reimbursement for telehealth services. This bill is an important step toward making telehealth a mainstream method to deliver healthcare services. **Status: Signed by the Governor**

HB20-1216 Sunset Continue Nurse Practice Act (Rep. Mullica, Sen. Ginal) The bill continues the State Board of Nursing in the Department of Regulatory Agencies, which is scheduled to repeal on July 1, 2021. CU's lobbyists, along with Jeremy Hueth and faculty from the College of Nursing, helped amend the bill to ensure that board approval of educational programs was not repealed. **Status: Signed by the Governor**

HB20-1411 Covid-19 Funds Allocation for Behavioral Health (Reps. Michaelson Jenet, Kraft-Tharp/Sen. Pettersen) The bill allocates CARES Act funding to behavioral health programs in the Departments of Human Services, Public Health and Environment, Higher Education, and Law. The bill allocates $600,000 to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies for education for health care professionals, grant writing assistance, and personal protective equipment (PPE) and telehealth supplies for the medication-assisted treatment expansion pilot program. **Status: Signed by the Governor**

Additional Budget-Related Legislation

HB20-1366 Higher Education Funding Allocation Model (Reps. Esgar, McCluskie/Sens. Zenzinger, Rankin) The bill creates a new higher education funding allocation model beginning in FY 2021-22. The bill modifies how state appropriations are allocated among institutions of higher education. All of the higher education governing boards came together to support this bill, which focuses on transparency and accountability metrics for institutions. Special thanks to Vice President Todd Saliman and Chad Marturano for their incredible leadership in writing the formula. **Status: Signed by the Governor**

HB20-1427 Cigarette Tobacco and Nicotine Products Tax (Reps. Caraveo, McCluskie/Sens. Fields, Moreno) Conditional on voter approval, this bill raises taxes on cigarettes and tobacco products and establishes a new tax on nicotine products. Revenue from the taxes is distributed to fund health care, tobacco education, preschool, and other programs. With voter approval, the bill increases state revenue and expenditures on an ongoing basis. **Status: Signed by the Governor**

SB20-219 Lease- Lease-Purchase Issuance for Capital Construction (Sens. Fields, Sonnenberg/Reps. Valdez, Rich) The bill directs the State Treasurer to issue a lease-

purchase agreement of up to $65.5 million by June 30, 2021, to fund the continuation of higher education capital construction projects that were previously funded. Importantly, the bill helps fund the continuation of the Health Sciences building on the Anschutz Medical campus.
Status: Sent to the Governor



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