

## University of Colorado State Relations 2021 Session Summary <sup>[1]</sup>

June 30, 2021 by [Natalie Barry](#) <sup>[2]</sup>

The 2021 State Legislative Session adjourned sine die on Tuesday, June 8, 2021. While this was an unconventional legislative cycle at the Capitol due to COVID-19, our team remained engaged and busy lobbying on several budget and legislative issues of impact to the University of Colorado.

Over 600 bills were introduced on a wide range of policy issues, including gun violence prevention, healthcare, transportation, data privacy, tax reform and response and recovery from COVID-19. Below is a recap on the major issues with impact to CU. Additionally, there were several bills of impact that were unsuccessful on topics including collective bargaining, data reporting, workplace harassment and pre-trial reform. We anticipate seeing many of them again next session. Please visit [this page](#) <sup>[3]</sup> for a full list of bills and links to bill text.

Aside from lobbying, we also worked closely with campus and system stakeholders on engagement activities including coordination of witness testimony at the Capitol, town halls between CU students and legislators, a “government relations day” with the [Excellence in Leadership Program](#) <sup>[4]</sup>, panelists for the [CU Denver School of Public Affairs First Friday Breakfast](#) <sup>[5]</sup>, and other events.

Thank you to the Board of Regents, System and Campus leadership, our campus liaisons, budget and legal teams and all of the incredible faculty, staff and student experts for providing critical feedback and strategy to help guide our legislative efforts.

### CU-Initiated Bills

**HB21-1067 College Admission Use Of National Test Score (Reps. Kipp, Exum/Sens. Story, Buckner):** This bill will make it optional, rather than required, for institutions of higher education to require students to submit a national assessment test score for admissions purposes. **Status: Governor Signed**

**HB21-1328 Concerning the Effective Date of Senate Bill 20-123 (Reps. Herod, Van Winkle/Sens. Fields, Priola):** This bill moves up the effective date of SB20-123 Compensation and Representation of Student Athletes from January 2023 to July 2021. Moving up the effective date will ensure our student athletes are not at a disadvantage, compared to other states that have adopted Name Image and Likeness policies that begin this summer. **Status: Sent to the Governor**

**SB21-029 American Indian Bill (Sen. Fenberg/Reps. Garnett, Benavidez):** This bill requires institutions of higher education adopt policies to charge resident tuition to Native American students who are members of tribes with historical ties to Colorado. This bill was

initiated by a Regent resolution that passed in November. **Status: Sent to the Governor**

### **Additional Bills with CU Impact**

**HB21-1051 Public Information Applicants For Public Employment (Reps. Geitner, Bird/Sens. Pettersen, Liston):** Clarifies in current statute that both state and local public bodies (e.g., school boards, county commissioners, state institutions of higher education) may name a “sole finalist” in an executive search and therefore protects the identities of non-finalist applicants. **Status: Signed by President of the Senate, became law without Governor Signature**

**HB21-1173 Prohibiting Legacy Preferences in Higher Education (Reps. Mullica, Gray/Sens. Pettersen, Bridges):** Prohibits institutions from using legacy as a preference for admissions purposes. The initial concept prohibited institutions from collecting data on parent education and family relationships during the admissions process. This would inhibit our ability to use the common application and collect important information on first generation, sibling enrollment or family connections in general. Our campus experts helped provide research to support the need for this data and we were able to get the prohibition eliminated before the bill's introduction. **Status: Governor Signed**

**HB21-1330 Higher Education Student Success (Reps. McCluskie, Ricks/Sen. Zenzinger):** This bill provides \$51.5 million in federal American Rescue Plan dollars to postsecondary institutions, students and other entities that fit into the postsecondary pipeline. About \$9 million of the \$51.5 million will go to CU campuses. The bill implements student success strategies across the state and charges the Colorado Commission on Higher Education (CCHE) with reimagining the role of postsecondary institutions in a post-pandemic world to build economic resiliency and strengthen the state's workforce. **Status: Sent to the Governor**

**SB21-147 Sunset Continue Licensing of Athletic Trainers (Sens. Fields, Holbert/Reps. Froelich, Van Winkle):** This bill continues the regulation of athletic trainers in the Department of Regulatory Agencies, which is scheduled to repeal on September 1, 2021. Two of CU's campuses employ athletic trainers as part of their athletic programs, and Anschutz employs athletic trainers in physician offices where they function similarly to PAs and RNs. **Status: Signed by President of the Senate, became law without Governor signature**

**SB21-190 Protect Personal Data Privacy (Sens. Rodriguez, Lundeen/Reps. Duran, Carver):** This bill creates the Colorado Privacy Act within the Colorado Consumer Protection Act. The bill addresses consumers' rights to privacy, companies' responsibility to protect personal data, and authorizes the Attorney General and district attorneys to take enforcement action for violations. Through our lobbying efforts, we were able to make higher education explicitly exempt from the bill. **Status: Sent to the Governor**

**SB21-250 Elections and Voting (Sens. Fenberg, Gonzales/Reps. Lontine, Caraveo):** This bill makes modifications to several election provisions and adds requirements for institutions of higher education related to notifying enrolled students about voting information and providing data to the Department of State. We were successful in adding amendment language around apparel prohibition and student pass through in high volume places like student unions. **Status: Sent to the Governor**

**SB21-256 Local Regulation of Firearms (Sens. Fenberg, Moreno/Reps. Hooton, Daugherty):** Declares that the regulation of firearms is a matter of state and local concern.

SB21-256 permits a local government, including a special district, and governing board of an institution of higher education to enact an ordinance, resolution, rule, or other regulation that prohibits a permittee from carrying a concealed handgun in a building or specific area within the local government's or governing board's jurisdiction. **Status: Sent to the Governor**

### **Health Care Bills**

**HB21-1317 Regulating Marijuana Concentrates (Reps. Garnett, Caraveo/Sens. Hansen, Lundeen):** This bill requires the Colorado School of Public Health to do a systematic review of the scientific research related to the physical and mental health effects of high-potency THC marijuana and concentrates. Based on the research and findings, the Colorado School of Public Health will also produce a public education campaign on findings regarding the effect of high-potency THC marijuana on the developing brain and mental health. The bill includes \$4 million in funding to the University of Colorado for the School of Public Health for research and to coordinate High Potency Education. **Status: Sent to the Governor**

**SB21-137 Behavioral Health Recovery Act (Sens. Pettersen, Winter/Reps. Kennedy, Michaelson Jenet):** This bill extends, modifies, and finances behavioral health programs throughout state government, including several programs at The Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the Anschutz Medical Campus. Funding will support efforts on Medication-Assisted Treatment expansion, public awareness campaigns related to safe medication practices, data linkage and training for health care professionals. **Status: Sent to the Governor**

### **Budget and Capital Construction Overview**

#### **SB21-205 Long Appropriations Bill (Moreno/McCluskie)**

- \$81.7 million increase for higher education operating funding that will be distributed to the Governing Boards. Of this amount, CU will receive an overall increase of 7.9% which is approximately \$19.0 million.
- The \$19.0 million increase is very close to what is incorporated into CU's internal budget planning for the system for FY 2021-22.
- 3% resident tuition rate increase authority for all institutions except for UNC, who received 7% authority.
- \$17.5 million increase for financial aid that will be distributed to participating institutions of higher education. Of this amount, CU will receive an overall increase of 12.0% which is \$5.2 million.

#### **Capital Construction**

- \$14.1 million state funding for CU Boulder Hellems Arts & Sciences Renovation (includes year 1 and year 2 of four-year project)
- \$20.4 million state funding for AHEC Critical Campus-Wide HVAC Infrastructure Replacement
- \$9.8 million for Level 1 and 2 Controlled Maintenance Projects across the CU system
- \$3.7 million for Level 1 and 2 Controlled Maintenance Projects at AHEC

### **Additional Budget Legislation and Joint Budget Committee Action Items**

**SB21-042 Appropriation to the Advanced Industries Accelerated Cash Fund (Sen. Moreno/Rep. McCluskie):** This supplemental appropriations bill provides a one-time \$10

million increase to the existing Advanced Industries line item. In the past, CU Boulder has been highly competitive in this field, so this was welcome news. **Status: Governor Signed**

**SB21-109 Bond Payments For Auraria Higher Education Center (Sens. Hansen, Rankin/Reps. McCluskie, Herod):** This bill allows Auraria Higher Education Center (AHEC) to make bond payments on its auxiliary facilities from sources other than AHEC auxiliary revenues. The bill also appropriates other sources of payment for AHEC auxiliary bonds including \$2.75 million from the state and a combined \$2.75 million from the three AHEC tenant institutions including MSU-Denver, CU Denver and CCD. **Status: Governor Signed**

**SB21-185 Supporting Educator Workforce in Colorado (Sens. Zenzinger, Rankin/Reps. McLachlan, McCluskie):** Restored funding for the Quality Teacher Educator Recruiter Program and the Educator Loan Forgiveness Program, which both benefit CU Denver. For FY 2021-22, the bill includes appropriations totaling \$12,335,620 to the Colorado Department of Education and the Department of Higher Education. **Status: Sent to Governor**

**SB21-215 Use of Open Educational Resources in Higher Education (Sens. Hansen, Rankin/Reps. Herod, McCluskie):** This bill reauthorizes the continuation of the Open Educational Resource program run by DHE. It also appropriates \$1 million annually for 5 years for grants to institutions that help improve student access to teaching, learning, and research resources. We lobbied both the JBC and legislature to support the funds. **Status: Governor Signed**

**Reauthorization of cybersecurity funds:** The Joint Business Affairs committee voted unanimously to recommend that the Joint Budget Committee reauthorize \$5.8 million cyber funding for the next three years. UCCS receives \$2.8 million from this allocation, which they share with the National Cybersecurity Center. This is a collaborative effort with other higher education institutions across the state, including: Pikes Peak Community College, Colorado Mesa University, Western Colorado University, Colorado State University, and Metropolitan State University of Denver.

**\$16.0 million increase at the CU Anschutz School of Medicine for Medicaid Upper Payment Limit funding to help with Aurora Health Public Commons development.** Secured UPL funding for the University of Colorado School of Medicine through federal matching funds for new programs that expand access to health care through telehealth, provide medical training, and engage community members in improving their care over the next 3 to 4 years.

**Tobacco Funds:** A last minute change to the forecast for revenues from the Tobacco Master Settlement Agreement (MSA) resulted in an additional \$1.9 million for CU Anschutz in FY 2021-22. JBC staff had suggested sweeping the additional revenue into the budget in general but the JBC ultimately voted to distribute the funds to the MSA recipients in law.

**Colorado Student Leadership Institute at CU Denver:** The Department of Higher Education requested an elimination of this fund. Lobbied to protect the program and \$218,000 was allocated in the Long Bill.



Regents Sue Sharkey & Ilana Spiegel, AVP of State Relations Heather Rezko with Senators Janet Buckner (D-Aurora) & Tammy Story (D-Conifer) and Reps Tony Exum Sr. (D-Colorado Springs) & Cathy Kipp (D-Ft. Collins) watch Gov. Polis sign bill HB21-1067

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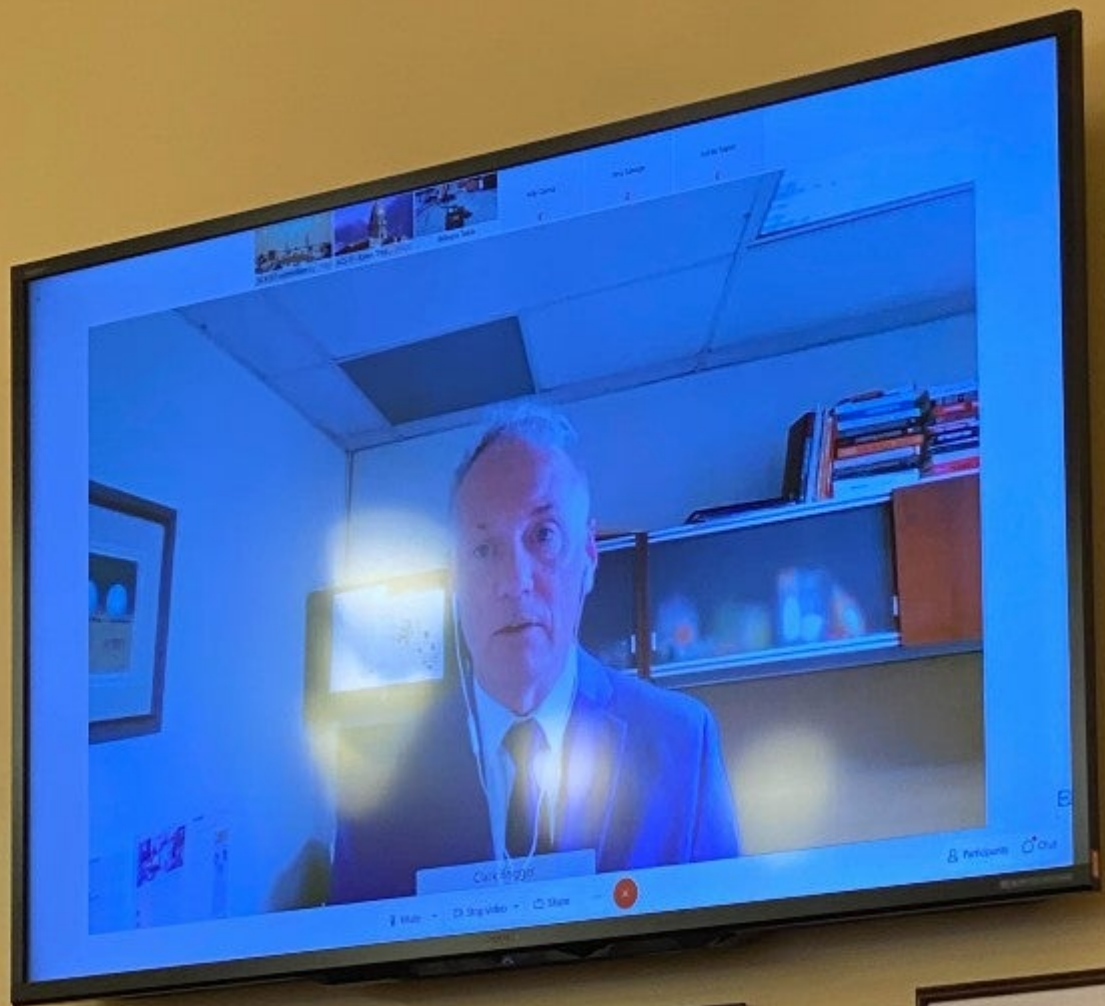




Senator Tammy Story (D-Conifer), Regent Sue Sharkey, Senator Janet Buckner (D-Aurora) and Regent Ilana Spiegel at the Capitol.

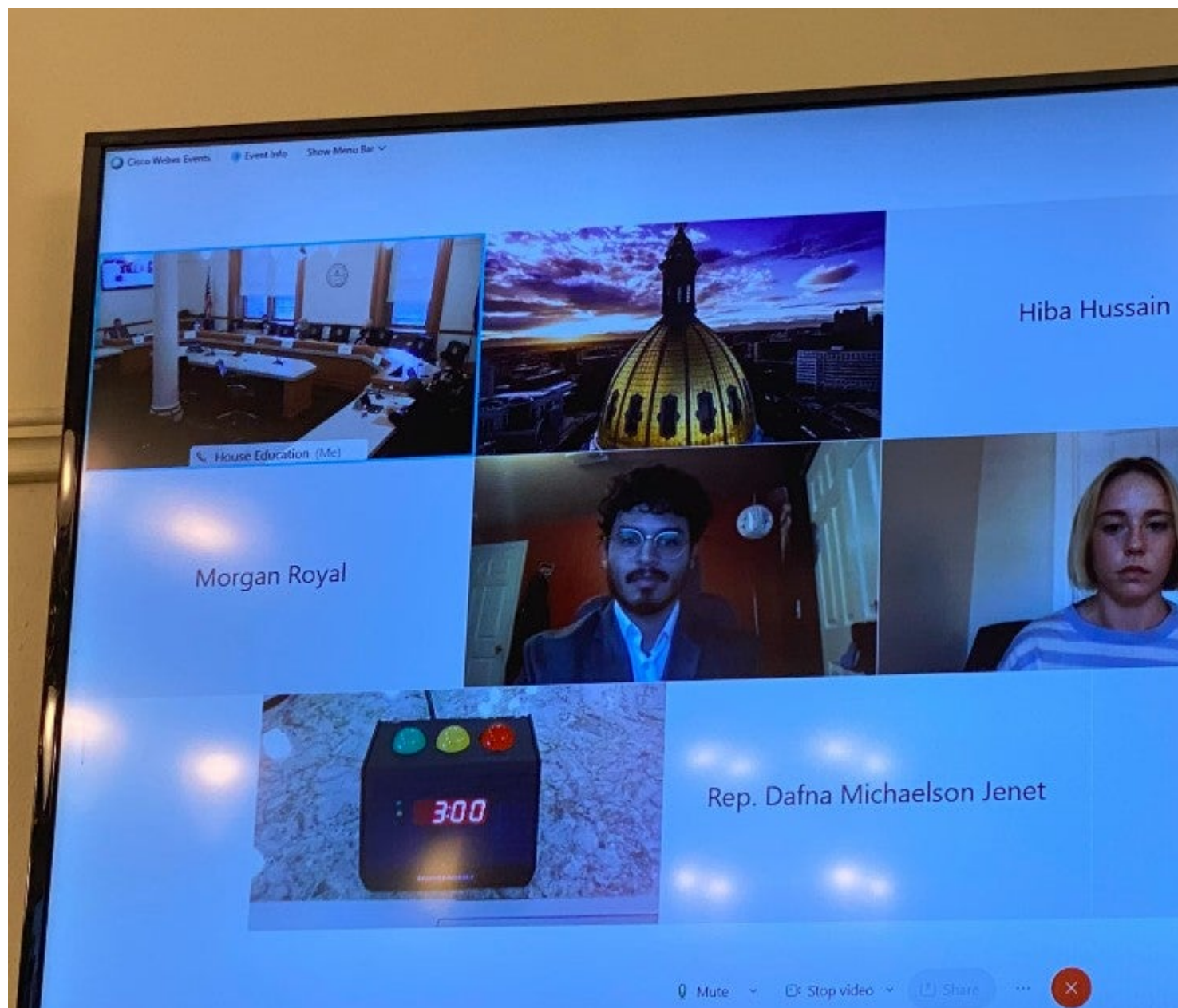
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CU Boulder Executive Director of Admissions, Clark Brigger, remotely testifies in support of HB21-1067 College Admission Use Of National Test Score.

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CU students Molly Frommelt, Jesse Alardin Rivera, Eyob Beyene Abai, Hiba Hussain, & Fabian Laguna remotely testify in support of HB21-1067

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