



COLORADO COALITION FOR THE HOMELESS **STATE ADVOCACY UPDATE**

May 9, 2011

Weekly Bill Tracker

Colorado's General Assembly is in session from January 13, 2011 through May 12, 2011. Of the 554 bills that have been introduced this legislative session, **the Coalition is following 44 related to housing, health care, benefits acquisition, child welfare, criminal justice, civil rights, and balancing the state budget.** Recent highlights from [April 22 to May 6](#) include:

- **On Tuesday, May 3, SB11-004: Hate Crimes Against the Homeless, failed on a party-line vote in the House Judiciary committee.** This bill, sponsored by Senator Guzman and Representative Pabon, would have added "homeless status" to the list of protected classes in the Colorado's hate crimes statute, making Colorado the third state to pass such a law.
- **A bill that would restore the Child Care Tax Credit in 2014 passed out of the Senate Finance committee on Friday, May 6 and will be heard in the Appropriations committee early this week.** This tax credit allows any taxpayer who makes a monetary contribution to promote child care eligible for a 50 percent match when filing their state taxes. **Donations to the Coalition's Renaissance Children's Center are eligible for the tax credit.** The Child Care Tax Credit is contingent upon an annual 6 percent growth in state revenue, which means it was suspended in January 2011. HB11-1014 will eliminate the 6 percent growth requirement beginning in 2014, making it available for income tax years on or after January 1, 2014.

<u>Category</u>	<u>Title and Description</u>	<u>Recent Action</u>
Civil Rights	<u>SB11-004: Hate Crimes Against the Homeless</u> – Current law prohibits counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property. This bill clarifies that the rent control statute applies only to private residential housing. The bill also clarifies that nothing in the rent control statute shall prohibit or restrict the right of a property owner and a state agency, county, municipality, or housing authority from voluntarily entering into and enforcing an agreement that controls rent on a private residential housing unit. <i>Sponsors: Senator Guzman, Rep. Pabon</i>	5/3/11 – House Judiciary Committee Killed
Homeless Youth	<u>HB11-1079: Reduce Youth Homelessness</u> - The bill makes state statute compliant with the federal "Runaway and Homeless Youth Act" by: Increasing the upper age limit for the definition for "homeless youth" from 18 years of age to 21 years of age; Removing the lower age limit for the definition of "homeless youth"; Increasing the number of days that a runaway and homeless youth can stay in a licensed child care facility or a licensed homeless youth shelter from 14 days to 21 days; Allowing a host family home to be an allowable placement for 21 days for a runaway and homeless youth. <i>Sponsors: Rep. Casso, Senator Jahn</i>	3/31/11 – Signed by the Governor
TANF Reserves	<u>SB11-124: Transfers of County TANF Funds</u> – This bill allows a county to transfer, at any time during the fiscal year and within the established guidelines, a portion of the county's current federal TANF allocation to another county in exchange for an amount of county moneys equal to the maintenance of effort associated with the allocation. At the conclusion of state FY2010-11, and upon the conclusion of each state fiscal year thereafter, the Works Allocation Committee may transfer to another county on or before November 1 of the succeeding fiscal year, any unspent county TANF reserves in excess of 40% of the county's block grant for the concluding state fiscal year. With the goal of increasing the counties' minimum percentage reserve balances, the WAC's priority criteria shall give first priority to transfers to counties that have no more than a 10% balance in the county's TANF reserve account. If moneys remain after satisfying the first priority criteria, second priority shall be given to transfers to those counties whose TANF reserves are more than 10%, but no more than 20 percent. <i>Sponsors: Senator Hodge, Rep. Gerou</i>	5/4/11 – Signed by the President of the Senate
Housing	<u>HB11-1230: Consolidate Housing Assistance Into the Department of Local Affairs (DOLA)</u> -Currently both DOLA and the Department of Human Services (DHS) administer programs that provide financial assistance, mostly vouchers, to persons in low-and moderate-income households for the purpose of assisting such persons in obtaining housing. This bill specifies that any such program administered by the state shall be consolidated within the Division of Housing (DOH) within DOLA no later than July 1, 2011. The bill exempts from this consolidation a pending grant that may prohibit the transfer of any moneys provided under the grant to a party other than DHS. In connection with such consolidation, the bill requires the consolidation to be organized in such a manner that one housing authority will be created within DOH to assist members of special populations and an additional housing authority will be created within DOH to assist persons in rural communities. For FY2011-12 and for any subsequent state fiscal year, the number of housing vouchers made available to persons with disabilities by DOH in any one state fiscal year shall not be less than the number of vouchers made available to such persons in the 2010-11 state fiscal year. In carrying out the consolidation, DOH is required to consult DHS. The bill specifies that the consolidation will be carried out without any reductions in force. <i>Sponsors: Rep. Duran</i>	4/29/11 – Sent to the Governor

Health Care	<u>HB11-1019: Exempt School Based Clinics from Co-Pays</u> – Under certain circumstances, it is a crime of abuse of health insurance to knowingly waive a patient’s required deductible or copay and then seek payment from a third-party payor. This bill exempts health care services provided by school-based clinics from this crime. <i>Sponsors: Rep. Kagan, Senator Boyd</i>	3/17/11 – Signed by the Governor
Health Care	<u>HB11-1101: Exempt FQHC’s State Licensure</u> – Under current law, community clinics, like some other health facilities, are required to obtain a license from, submit to on-site inspections by, and obtain approval of construction plans from CDPHE. This bill excludes from the definition of a community clinic any clinic that is a federally qualified health center (FQHC) under the federal “Social Security Act”, thereby exempting FQHC’s from state licensure and related requirements. <i>Sponsors: Rep. Swalm, Senator Morse</i>	4/8/11 – Signed by the Governor
Health Care	<u>HB11-1148: Disclosure Health Worker Employment Info.</u> - This bill allows current and former employers to disclose certain information about a health care worker in response to a request from a prospective employer of the health care worker. The disclosing employer is granted immunity from civil liability for the good faith disclosure of information. The bill also creates an exception to the current prohibitions against blacklisting for the disclosure of information. <i>Sponsors: Rep. Labuda & Nikkel, Senator Boyd</i>	3/21/11 – Signed by the Governor
Health Care	<u>HB11-1217: Expand Health Care Access</u> – This bill enacts measures to expand access to health care in Colorado, including the following: Expands the school-based health center grant program administered by CDPHE to allow the division to award grants to center operators to offer rehab services at existing centers; expands eligibility for participation in the state loan repayment program to health care providers who do not provide primary care services, practice in a for-profit setting, or are otherwise not currently eligible; charges the Center for Improving Value in Health Care with studying and recommending improvements to the system for reimbursing health care providers who deliver care to recipients of the state’s public medical assistance programs as well as to insured individuals; requires HCPF to reimburse providers for medical care, services, or goods provided to Medicaid recipients, regardless of the location of the service delivery, and to seek a waiver from the U.S. Department of Health and Human Services if necessary to implement the requirement; authorizes state and local governments to enter into agreements with health care providers to allow the providers to use available space in a building owned by a state or local government and located in a federally designated health professional shortage area for purposes of providing access to health care for persons residing in close proximity to the building (as a condition of the agreement to use space in the public building, the health care provider must agree to accept Medicaid patients at those sites); extends governmental immunity to health care practitioners who provide care to patients, including Medicaid patients, in available space in a public building located in a federally designated health professional shortage area. <i>Sponsors: Rep. Acree, Senator Boyd</i>	5/5/11 – Senate HHS Committee sent to full Senate with changes
Health Care	<u>HB11-1242: Medicaid Provider Integration of Service</u> – This bill requires HCPF to review certain issues that relate to the provision of both physical and mental health care services to a patient during the same appointment as part of an integrated system of patient care, and any barriers to the integrated care. HCPF shall seek input concerning the issues from behavioral health organizations and community mental health centers, as well as other health care providers as determined by HCPF. HCPF shall report to certain committees of the general assembly concerning the issues reviewed pursuant to the bill. <i>Sponsors: Rep. Ferrandino</i>	5/5/11 – Senate 2 nd Reading Laid Over
Health Care	<u>SB11-008: Aligning Children’s Medicaid Eligibility</u> – This bill increases the current Medicaid income eligibility threshold of 100% of the Federal Poverty Line (FPL) for children who are between 6 and 19 years of age to equal the income eligibility threshold for pregnant women and children from birth to 5 years old, which is currently set at 133% of FPL. <i>Sponsors: Senator Boyd, Rep. Gerou</i>	4/8/11 – Signed by the Governor

Health Care	<u>SB11-063: Health Care in Local Government Master Plans</u> – This bill authorizes counties, regions and municipalities to include in their comprehensive or master land use plans a community health element reflecting current and projected populations estimates pursuant to which the applicable local government will indicate how its planning decisions will promote public health and safety and the general welfare of the residents of the local government. Matters to be addressed in connection with this element of the master plan may include, without limitation, accessibility, availability, affordability, and delivery of health care services and health care facilities; public safety; civic participation within the territorial boundaries of the local government, and any other factors or policies that will promote public health and safety and the general welfare within the territorial boundaries of the local government. <i>Sponsors: Senator Giron</i>	4/11/11 – House 3 rd Reading Lost – Killed
Health Care	<u>SB11-087: Medical Exemption Tiered Rate Plan</u> – This bill authorizes the Public Utilities Commission to adopt rules creating an exemption from tiered electricity rate plans based on a customer’s medical condition. <i>Sponsors: Senator Boyd, Rep. Fields, Rep. Beezley</i>	3/29/11 – Signed by the Governor
Health Care	<u>SB11-102: Mental Health Tax Checkoff</u> – For income tax years commencing on or after January 1, 2011, but before January 1, 2014, this bill requires a voluntary contribution designation line for the Families in Action for Mental Health Fund to appear on state individual income tax return forms. The general assembly must appropriate annually from the fund to the Dept. of Revenue its costs of administering contributions to the fund. All moneys remaining in the fund at the end of a fiscal year shall be transferred to Mental Health America of Colorado, the fiscal manager for Families in Action for Mental Health. <i>Sponsors: Senator Williams, Rep. Todd</i>	5/4/11 – House 2 nd Reading passed with changes
Health Care	<u>SB11-128: Child Only Health Insurance Plans</u> - This bill establishes two specified enrollment periods for child-only plan coverage. A carrier may accept an application outside of the open enrollment periods if the child does not have a pre-existing condition. The plans must be issued on a guaranteed-issue basis without any limitations or riders based on health status. A carrier is required to give notice of the open enrollment opportunities and provide enrollment instructions on the carrier’s web site. A carrier may deny or drop individual coverage under specific circumstances. A carrier must report application and enrollment information regarding child-only plans to the commissioner of insurance. <i>Sponsors: Senator Newell, Rep. McCann</i>	4/29/11 – Signed by the Governor
Health Care	<u>SB11-168: Colorado Health Care Cooperative</u> – Creates the Colorado health care authority. The mission of the authority is to deisn the Colorado health care cooperative to be the benefits administrator and payer for health care services. The authority shall recommend a cooperative to the general assembly and, if approved, it shall be refereed to the voters by referred measure. The President of the Senate, the Speaker of the House, and the Governor shall each appoint members to the board of directors of the authority who shall employ an administrator and other officers to help design and develop the cooperative. The bill requires that the board make recommendations concerning specific elements to become part of the cooperative. <i>Sponsors: Senator Aguilar, Rep. Kefalas</i>	5/2/11 – Senate 2 nd Reading Laid Over
Health Care	<u>SB11-170: General Fund Cap Medicaid Nursing</u> – Under current law, class 1 nursing facilities are reimbursed under Medicaid for actual costs based on historical data reported by each nursing home facility. The statute establishes per diem rates for and sets limits on annual increases for four components of costs (direct and indirect health care services, raw food, administrative and general services, and fair rental allowance). The payments through the per diem rate are paid from the general fund and matching federal funds. A general fund cap, established in the statute, limits the growth of the general fund share of the per diem rates for different components. Because the percentage of the general fund growth cap is set in statute, any changes to the rate of growth in costs from the general fund share requires the passage of this legislation. This bill applies to FY2012-13 and fiscal years thereafter. <i>Sponsors: Senator Aguilar, Rep. Ferrandino</i>	4/5/11 – House Health and Environment Committee Killed
Health Care	<u>SB11-171: Caretaker Mistreatment of At-Risk Adults</u> – This bill creates the mistreatment of at-risk adults by caretakers database in the Department of Human Services (DHS). Agencies that are currently responsible for investigating allegations of mistreatment of at-risk adults by caretakers shall determine if an allegation against a caretaker is substantiated and if, therefore, the caretaker’s name should	3/3/11 – Senate HHS Committee Killed

	be placed in the database. The State Board of Human Services is authorized to promulgate rules concerning the implementation of the database, including an appeal process. An employer of caretakers may check the database before hiring a caretaker and may hire a caretaker even if his or her name appears in the database unless the substantiated allegation of mistreatment meets the description of mistreatments barring employment as established by rule of the State Board. DHS is not obligated to implement the database until sufficient gifts, grants and donations, or federal moneys have been received. <i>Sponsors: Senator Aguilar</i>	
Health Care	<u>SB11-187: Sunset Review Mental Health Professionals</u> – This bill continues the regulation of mental health professionals and the State Boards of Psychologist Examiners, Social Work Examiners, Marriage and Family Therapist Examiners, and Licensed Professional Counselor Examiners and the State Grievance Board, creates the State Board of Addiction Counselor Examiners, and implements the recommendations contained in the sunset review and report of state-regulated mental health professionals. <i>Sponsors: Senator Newell, Rep. Fields</i>	5/5/11 – House Appropriations Committee sent to full House with changes
Health Care	<u>SB11-192: Continue Prescription Drug Monitoring Program</u> – This bill continues the Electronic Prescription Drug Monitoring Program run by the Department of Regulatory Affairs until July 1, 2021 and removes the advisory body charged with overseeing the implementation of the program. <i>Sponsors: Senator Aguilar, Representative Massey</i>	5/5/11 – House Appropriations Committee sent to full House with changes
Health Care	<u>SB11-200: Health Benefit Exchange</u> – This bill creates the Colorado health benefit exchange as a nonprofit unincorporated public entity. The exchange is governed by a board of directors consisting of 9 members appointed by the Governor, the President of the Senate, the Speaker of the House and the Minority Leaders of the Senate and the House, and 3 ex officio nonvoting members. <i>Sponsors: Senator Boyd, Representative Stephens</i>	4/19/11 – Senate Legislative Services Committee sent to the full Senate with changes
ID's	<u>HB11-1003: Define ID for Voting</u> – Requires the identification used for election-related purposes to be a valid, government issued ID with a photograph. <i>Sponsors: Rep. Summers and Rep. Szabo, Senator Lundberg and Senator Harvey</i>	3/7/11 - Senate, State, Veterans & Military Affairs Committee Killed
ID's	<u>HB11-1149: Identity Verification of Lawful Presence</u> – Current law requires an agency or political subdivision of the state to verify the lawful presence of each applicant 18 years of age or older for federal public benefits or state or local public benefits. The bill amends that law by requiring that the applicant provide their social security card for inspection. Current law requires an applicant to sign an affidavit attesting that he or she is a U.S. citizen or legal permanent resident or that he or she is otherwise lawfully present in the U.S. Instead of signing the affidavit, the bill provides that an applicant may submit for inspection a birth certificate or other documents that indicate the applicant's lawful presence in the U.S. The bill also requires that an employer of a newly hired employee must check legally acceptable documents to verify the identity of the employee as well as check the authority of the person to work in the U.S. <i>Sponsors: Rep. Acree, Senator Harvey</i>	4/21/11 – House 2 nd Reading Laid Over with Changes

ID's	<u>HB11-1252: Proof of Citizenship to Register to Vote</u> – This bill requires the Secretary of State (SOS) to periodically check the statewide voter registration database against lists maintained by federal and state agencies to determine whether registered electors are citizens of the U.S. <i>Sponsors: Rep. Holbert, Senator Harvey</i>	4/18/11 – Senate State, Veterans and Military Affairs Committee Killed
Public Benefits	<u>HB11-1058: No Public Assistance at Strip Club ATM's</u> – Current law prohibits recipients of public assistance from accessing cash benefits through ATM's located in casinos, in-state simulcast facilities, racetracks, commercial bingo facilities, gun stores, or liquor stores. This bill adds entertainment businesses to the list of prohibited locations and requires the entity that administers the electronic benefits transfer service to develop a means to prevent recipients from accessing cash at a prohibited location. <i>Sponsors: Rep. Pabon</i>	3/10/11 – Senate HHS Committee Killed
Public Benefits	<u>HB11-1216: Disability Benefit License Plate Numbers</u> – A disabled-benefit support contract committee is created to contract with a private entity to help persons with disabilities obtain benefits. The committee consists of nine members appointed by the Governor. The moneys raised from the program are put in a newly created fund and used to pay the expenses of implementing the program, to help persons with disabilities obtain benefits, and to augment the general fund. <i>Sponsors: Rep. Reisberg, Senator Aguilar</i>	4/26/11 – Signed by the Governor
Public Benefits	<u>SB11-002: Low-Income Telephone Assistance Program (LITAP)</u> – This bill makes a person eligible to receive LITAP if the person is: a legal resident of Colorado; a current or prospective subscriber to basic local exchange service; and certified by DHS to receive financial assistance under at least one of six listed assistance programs. <i>Sponsors: Senator Carroll, Rep. J. Kerr</i>	3/21/11 – Signed by the Governor
Budget	<u>HB11-1014: Child Care Contribution Income Tax Credit</u> – This bill repeals a trigger associated with the child care contribution income tax credit that specifies that the income tax credit is not allowed for any income tax year when general fund revenues for a fiscal year are not sufficient to grow the total state general fund appropriations for the previous fiscal year. The effect of removing this trigger is that the child care contribution tax credit will be available for income tax years commencing on or after January 1, 2011, but prior to January 1, 2020, unless the general assembly acts by bill to remove or otherwise limit the availability of the income tax credit. <i>Sponsors: Rep. Delgrosso, Senator Roberts</i>	5/5/11 – Introduced in the Senate, assigned to Finance
Budget	<u>SB11-156: General Fund Reserve Reduction</u> – For the 2010-11 state fiscal year, the bill reduces the statutorily required general fund reserve from 4% to 2.3% of the amount appropriated for expenditure from the general fund. <i>Sponsors: Senator Lambert, Rep. Becker</i>	3/9/11 – Signed by the Governor
Budget	<u>SB11-219: 2011 Transfers for Health Care Services</u> - For the 2011-12 fiscal year (FY), the bill authorizes a transfer of \$10,755,000 from the tobacco tax revenues credited to the Primary Care Fund (PCF) to the Colorado Health Care Services Fund (HCSF). For the 2011-12 FY, the bill authorizes an appropriation of \$15,775,670 from the tobacco tax revenues credited to the PCF for health-related purposes. The bill directs the Department of Health Care Policy and Financing to develop a distribution formula to allocate the moneys in the Colorado HCSF to Denver Health and hospitals and to Community Health Clinics. The bill also transfers \$1,722,330 from the PCF to the Primary Care Special Distribution Fund. The bill directs the Department of Health Care Policy and Financing to develop a distribution formula to allocate the moneys in the Primary Care Special Distribution Fund between providers that participate in the Colorado Indigent Care Program (CICP) and providers that do not participate.	5/2/11 – Senate Consideration of First Conference Committee – Repassed

Budget	<u>SB11-226: General Fund Transfers</u> - For the purpose of augmenting the amount of revenues in the state general fund, the bill requires the state treasurer to transfer to the general fund the unexpended and unencumbered balance in the following funds: the read-to-achieve cash fund, the health care supplemental appropriations and over-expenditures account of the tobacco litigation settlement cash fund, and the child welfare action committee cash fund. The bill also requires the State Treasurer to make specific transfers to the general fund.	5/4/11 – Signed by the President of the Senate
Child Welfare	<u>HB11-1145: Availability Background Check Child Care</u> – The requirements for background checks for any licensed facility, agency, or licensee (facility) are changed to include Colorado bureau of investigation and federal bureau of investigation checks for all potential employees, regardless of the length of time a potential employee has resided in Colorado. The bill requires the state department of human services (department) to study the feasibility of a policy to provide to a parent or prospective parent (parent) of a child attending or applying to attend a facility, upon request and for a fee, the results of the fingerprint-based criminal history records check (background check) performed on an employee of a facility. A facility is required to provide to a parent, upon request, access to the clearance letter provided by the department to the facility concerning a facility employee's background check.	4/29/11 – Sent to the Governor
Child Welfare	<u>HB11-1193: Family Advocacy Juvenile Mental Health</u> – This bill amends the article creating the integrated system of care family advocacy demonstration programs for mental health juvenile justice populations to acknowledge that the programs are no longer demonstration programs and have been fully implemented. The repeal date is extended from July 1, 2011 to July 1, 2021. <i>Sponsors: Rep. Labuda, Senator Boyd</i>	3/29/11 – Signed by the Governor
Child Welfare	<u>HB11-1196: Flexibility in Funding Family Services</u> – This bill allows county Departments of Human Services to provide family preservation services to families who are not involved in the child welfare, mental health, or juvenile justice systems, but who may be if they do not receive the services. In establishing the formula for capped and targeted allocations of funding to the county departments for child welfare services, the state Department of Human Services must take into account a list of statutory factors. This bill adds to the list consideration of the county department’s prior fiscal year expenditures on preventive services and the number of families served. The bill authorizes a county department to receive federal matching funds for expenditures by other entities within the county, which expenditures meet specified criteria. The state Department shall retain five percent of any of said federal matching funds received by the county department. <i>Sponsors: Rep. Summers, Senator Foster</i>	4/29/11 – Sent to the Governor
Child Welfare	<u>SB11-120: Protections for Youth in Foster Care</u> – This bill sets forth a legislative declaration concerning a bill of rights for youth in foster care, excluding those in the custody of the Division of Youth Corrections or a state mental hospital. The court shall ensure that youth who are 16 to 18 years of age are provided assistance in obtaining a free credit report for the youth. If there is evidence of identity theft, staff shall refer the case to a governmental or nonprofit entity, as approved by the state Department of Human Services, to take remedial action to clear the youth’s credit report. The Department is required to promulgate rules concerning policies for allowing youth 12 years of age and older greater access to extracurricular activities. <i>Sponsors: Senator Newell, Rep. Kefalas</i>	4/8/11 – Signed by the Governor
Criminal Justice	<u>HB11-1032: Restorative Justice</u> - The bill adds restorative justice to the options a court has when it imposes an alternative sentence instead of incarceration or as a part of a probation sentence. It directs the department of corrections to establish policies and procedures for facilitated victim offender dialogues in institutions under the control of the department, which would arrange the dialogues if requested by the victim and agreed to by the offender. The bill encourages each school district in the state and the state charter school institute to implement restorative justice practices that each school in the district or each institute charter school can use in its disciplinary program. The bill creates the right for a victim to be informed by the district attorney about the availability of restorative justice practices and the possibility of a victim-offender conference. <i>Sponsors: Rep. Lee</i>	5/4/11 – Senate Judiciary Committee sent to full Senate with changes

Criminal Justice	<u>HB11-1064: Parole Presumption Certain Drug Offenders</u> - The bill creates a pilot program establishing a presumption in favor of granting parole for an inmate who is parole-eligible and serving a sentence for a drug use or drug possession crime that was committed prior to August 11, 2011. The inmate must meet other criteria related to previous criminal behavior and institutional behavior to be eligible for the presumption. Once the inmate is eligible for the presumption, he or she must have a parole hearing within 90 days. The chair of the parole board shall provide an annual report to the judiciary committees regarding the presumption. <i>Sponsors: Rep. Waller, Senator Steadman</i>	5/5/11 – House considered Senate amendments – result was to lay over
Criminal Justice	<u>HB11-1167: Sealing Drug Conviction Records</u> - This bill amends the petition process for sealing certain drug offense criminal conviction records. Employers and certain institutions and agencies are prohibited from requiring an applicant to disclose information in sealed conviction records. Law enforcement will report that there are no public records in response to inquiries about sealed criminal conviction records. The office of the state court administrator must post on its website a list of all petitions to seal conviction records that are filed with a district court. The bill prohibits a district court from granting a petition to seal conviction records until at least 30 days following the posting. <i>Sponsors: Rep. Ferrandino, Senator Nicholson</i>	3/29/11 – Signed by the Governor
Criminal Justice	<u>HB11-1180: Criminal Sentencing to Reduce Recidivism</u> - Current law describes four purposes of the Colorado Criminal Code. The bill adds a fifth purpose: To help courts select for each convicted offender a sentence alternative, sentence length, and level of supervision that addresses the offender's individual characteristics and reduces the potential that the offender will engage in criminal conduct after completing his or her sentence. The bill requires each presentence report submitted by a probation officer to a court to include the results of an actuarial risk-needs assessment that provides the court with sufficient information to make certain determinations concerning the appropriate sentence to impose upon the offender. The report shall also inform the court regarding available and suitable community corrections programs that the court may wish to use in sentencing the offender. Before sentencing an offender, other than a class 1 felony offender, to a period of incarceration, the court shall determine that incarceration of the offender is consistent with the results of the risk-needs assessment and that none of the available alternatives to incarceration will satisfy the statutory purposes of sentencing. <i>Sponsors: Rep. Levy</i>	4/8/11 – Signed by the Governor
Criminal Justice	<u>SB11-044: Colorado Collateral Consequences of Conviction Act</u> - The bill creates a process for persons to seek relief from the collateral consequences of a criminal conviction. The state public defender shall identify and publish a collection of the collateral consequences that are possible in Colorado based on state and federal laws and regulations. The judicial department shall publish the collection on its web site. The court, at a defendant's first appearance and at sentencing, shall inform the defendant about the possible collateral consequences of a conviction. An individual may petition the court, with notice to the district attorney, for limited relief from a collateral consequence of a conviction or for restoration of rights. The court may grant the relief if the relief will help the individual obtain employment, housing, public benefits, or occupational licensing, the individual has substantial need for the relief, and granting the petition would not pose a public safety risk. If the court grants the limited relief, the court must specify the relief and any restrictions. <i>Sponsors: Senator Steadman</i>	5/4/11 – House State, Veterans & Military Affairs Committee Killed
Criminal Justice	<u>SB11-085: Prostitution Offender Program Courts</u> – This bill creates a diversion program for persons who commit prostitution-related offenses. <i>Sponsors: Senator Shaffer, Rep. McCann</i>	5/3/11 – House 2 nd Reading Laid Over

Criminal Justice	<u>SB11-176: Solitary Confinement Specific Population</u> – This bill sets forth the requirements to be met before a state inmate, including an offender with a serious mental illness or other significant mental impairment, may be placed in administrative segregation and the requirements for release, including mental health evaluations. Classification committees are created in each correctional facility and tasked with overseeing classification hearings within the facility. An inmate housed in administrative segregation is ensured time to reintegrate into the general correctional population prior to his or her release into the community. Cost savings from the bill are directed to alternatives to administrative segregation. The warden of each correctional facility in the state is given authority to take such measures as are necessary to restrict the confinement of any person who is a confirmed leader or active member of any security threat group. An inmate housed in administrative segregation is provided with the opportunity to accrue earned time to be deducted from his or her sentence.	5/6/11 – House State, Veterans & Military Affairs Committee sent to Appropriations without changes
Other	<u>SB11-072: Civil Rights Enforcement Act</u> - This bill establishes the "Job Protection and Civil Rights Enforcement Act of 2011", which would allow the additional remedies of compensatory and punitive damages in employment discrimination cases brought under state law against employers where intentional discrimination is proven. These damages would be in addition to the remedies allowed under current law, namely, front pay, back pay, interest on back pay, reinstatement or hiring, and other equitable relief that may be awarded. Compensatory damages are to compensate a plaintiff for other pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses. The bill limits the amount of compensatory and punitive damages to the amounts specified in the federal "Civil Rights Act of 1991" and instructs the commission or court to consider the size and assets of the defendant and the egregiousness of the discriminatory or unfair employment practice when determining the amount of damages to award the victim. When a plaintiff claims compensatory or punitive damages in a civil lawsuit, either party to the action is entitled to demand a jury trial. Additionally, the court may award the prevailing party reasonable attorney fees and costs. This bill also authorizes the commission to appoint a working group of employers and employees to assist in education and outreach efforts to foster compliance with laws prohibiting discriminatory or unfair employment practices. The remedies available under the bill would apply to causes of action alleging discriminatory or unfair employment practices accruing on or after January 1, 2013. <i>Sponsors: Senator Carroll, Rep. Levy</i>	4/6/11 – House State, Veterans and Military Affairs Committee Killed
Other	<u>SB11-172: Civil Unions</u> – This bill creates the “Colorado Civil Union Act” to authorize any two unmarried adults, regardless of gender, to enter into a civil union. Certain persons may certify a civil union and may file the civil union certificate with the county clerk and recorder. A priest, minister, rabbi, or other official of a religious institution or denomination or an Indian nation or tribe is not required to certify a civil union in violation of his or her right to free exercise of religion.	3/31/11 – House Judiciary Committee Killed
Other	<u>HB11-1290: Deferred Deposit Loans Non-Refundable Origination Fee</u> – This bill specifies that a lender may charge a nonrefundable origination fee deemed fully earned as of the date of a deferred deposit loan. <i>Sponsors: Representatives Liston, Riesberg, Senator Heath</i>	5/5/11 – Senate Local Government Committee Killed