

## OVERVIEW

The First Regular Session of the 74th General Assembly convened on January 9th, 2023, and adjourned 120 days later—as constitutionally mandated—on May 8th, 2023. At the outset of the legislative session, Governor Polis indicated that affordable housing, environmental policy, and economic development were high priorities. Top Democratic party leaders, Senate President Fenberg and House Speaker McCluskie, expressed support for these priorities and others including health, childcare, gun violence, civil rights protections, and reproductive rights. In many ways, this session was a continuation of the previous year’s work to make Colorado a more affordable, healthier, and safer place to live. Democrats recently expanded majorities in both chambers (23 Democrats and 12 Republicans in the Senate, and 46 Democrats and 19 Republicans in the House), resulting in unprecedented control and significant divisions within the caucus. The minority party, led by Senator Lundeen and Representative Lynch, entered the session with the primary goal of defending conservative principles including individual freedom, trust in market forces, and limited government intervention. Ultimately, results were mixed, with 486 of the 617 introduced bills passing (79%) and high-priority bills of progressive legislators becoming casualties of controversy and infighting. The General Assembly did, however, get many important policies of interest to the Colorado Coalition for the Homeless (the Coalition or CCH) across the finish line.



## ADVOCACY

This year, the entire CCH community—including the Education & Advocacy Team, the Advocacy Committee, and the Advocacy Network—helped shape and push for the passage of key bills. CCH shaped the policy process through drafting bill language and amendments, participating in stakeholder convenings, engaging in direct and grassroots lobbying, and providing public and written testimony (on 17 bills for a total of 29 times—21 live and eight written). The Coalition also sent action alerts to its network of over 25,000 individuals—resulting in 871 messages to legislators in support of the organization’s priorities—and generated community awareness and support on social media. With guidance from long-time contract lobbyist Danny McCarthy of Mendez, Barkis & Associates, the Coalition tracked 146 of the 617 introduced bills (24%). The Coalition actively engaged on 45 bills and achieved the desired outcome on 38 bills, yielding a 90% success rate. This calculation includes outright successes (i.e. the Coalition supported the bill and it passed, or opposed the bill and it failed) as well as bills on which the Coalition took an amend position that either passed or failed.

**146** THE NUMBER OF BILLS TRACKED THIS SESSION

**45** THE NUMBER OF BILLS CCH ACTIVELY ENGAGED WITH

**38** THE NUMBER OF BILLS WHICH ACHIEVED OUR DESIRED OUTCOME

The Coalition was thrilled to hold its first in-person Lobby Day since 2020. Nearly 80 staff, clients, and community members participated in the event. CCH’s contract lobbyist, Danny McCarthy, and Representative Meg Froelich (Chair of the House Local Government, Housing & Transportation

committee) offered guidance on how to be an effective advocate under the Gold Dome. Participants then had the opportunity to directly ask legislators for their support on two introduced bills and one bill concept: SB23-184, HB23-1202, and the creation of a year-round legislative oversight committee and task force on housing and homelessness (described below).

## BUDGET

This year's budget outlook left little room for new and expanded programs, with the Joint Budget Committee (JBC) setting aside \$30M for legislators to allocate to their priorities (pending approval by Appropriations Committees).

The bulk of Colorado's budget funds day-to-day operations of state government, including Departments of Health Care Policy and Financing, Education, Higher Education, Human Services, Corrections, and Judicial. To meet inflation and growing needs, the overall \$41.4B budget was increased by 4.2%. The total General Fund – the most flexible source of funding generated largely by sales and income tax – saw a 14% increase to \$15.42B because of increased state responsibility for Medicaid costs following the end of enhanced federal funding during the pandemic.

Notably, the legislature voted to remove the \$1,500 annual Medicaid adult dental cap and eliminate pharmacy and outpatient Medicaid copays through the Long Appropriations Bill (SB23-214) and its companion bills. CCH is grateful to Colorado Community Health Network – of which the Coalition is a member – for their effective advocacy on these priorities.

## PRIORITY POLICY AREAS

*Note, votes are listed in the following format: yes-no-excused. Final bill language, fiscal notes, and complete vote counts can be accessed by clicking the links in the bill report below.*

## HOUSING

The 2023 legislative session was another big year for housing legislation, kicking off with a joint convening of the House Transportation, Housing & Local Government Committee and the Senate Local Government & Housing Committee. CCH Chief Communications and Public Policy Officer, Cathy Alderman, was invited to present on the State of Homelessness, highlighting troubling trends, resource gaps, and policy solutions. Notably, "housing" was

added to the title of each committee this year, emphasizing the increased focus on the issue. This year, CCH and its partners advocated for a regional approach to housing that is responsive to demonstrated need, including strategically increasing development and density while ensuring affordability, preventing displacement, and ensuring nonprofit organizations can access resources and opportunities.

CCH also drew a distinction between affordable housing—housing that happens to be affordable to a household at a given income level—and Affordable Housing (what CCH refers to as "capital A" affordable housing), which is regulated by either a voucher or by a source of funding like tax credits, grants, and loans for development, preservation, rehabilitation, and operations. Rents are set well below market-rate based on the U.S. Department of Housing and Urban Development's (HUD) Fair Market Rent calculations. CCH aimed to ensure that any housing policy moving through the legislative process considered the unique challenges and regulations faced by those providing and living in Affordable Housing.

### affordable housing

Housing that happens to be affordable to a household at a given income level

### Affordable Housing

Housing regulated by a voucher or a source of funding like tax credits, grants, or loans. Rents are set well below market-rate by HUD

The Coalition was in an amend position on several bills this year, meaning it advocated for major or minor tweaks to a bill's introduced language. **SB23-213 (Sen. Moreno; Reps. Jodeh & Woodrow)**, dubbed "More Housing Now," was one of the most highly anticipated and controversial bills of the legislative session. It was touted by the Governor and Democratic leadership as a comprehensive strategy to address Colorado's affordable housing crisis and meet ambitious climate goals. A diverse group of stakeholders met well over 200 times to develop and amend the proposal. As introduced, the bill would have done the following:

- Require state and local governments to quantify their current and future housing needs by income level and take steps to meet housing targets over time;

- Require local governments to identify neighborhoods where residents are at high risk of involuntary displacement and implement strategies to protect those households;
- Legalize and remove barriers to Accessory Dwelling Unit (ADU) construction in cities across Colorado;
- Legalize Middle Housing, including two- to four-unit multiplexes, townhomes, and cottage clusters in single-family zones and frequent transit corridors;
- Increase housing options near transit corridors and job centers;
- Contain sprawl by directing the state to integrate transportation, land use, and water planning
- Eliminate parking mandates for ADUs, Middle Housing, and Transit-Oriented Development; and
- Reduce other barriers to affordability, including eliminating minimum square footage requirements, removing occupancy limits based on family status, and promoting manufactured and modular housing.

The Coalition successfully advocated for the inclusion of 1) a menu of affordable housing strategies from which cities would have been required to choose to support the production and preservation of affordable housing, 2) stronger anti-displacement guidance, (3) consistent application of the needs assessment and planning process in all parts of the state, and (4) the creation of a year-round legislative task force and oversight committee on housing and homelessness which was a Coalition priority entering the legislative session and a primary focus on Lobby Day. CCH advocated strongly that supply alone would not solve the affordable housing crisis without affordability requirements and anti-displacement analyses and plans. These issues were highlighted in [CCH's Report: Colorado's Affordable Housing Crisis - It's Time for Strategic Investments](#) (and [3-page summary](#)) which was released in early April 2023 to combat the narrative of trickle-down housing and argue for targeting limited public resources for those households with the greatest needs and historical barriers in housing. This report was drafted in part to [respond to concerns](#) over Proposition 123 implementation and to help shape

the Land Use policy proposal.

Senate Bill 213 generated tension between urban, rural, and rural resort communities and concerns about loss of local control. Under immense pressure from local government entities, the bill was gutted by the Senate Appropriations Committee, leaving only the requirement for communities to conduct needs assessments and create long-term plans focused on displacement, transit access, and water use intact. The bill initially passed the Senate on a 20-12-3 vote. Many of the provisions that were stripped out in the Senate were restored in the House (passed on a 37-28-0 vote), but the bill ultimately died on the calendar when the Senate failed to take up discussion of the House amendments in the last hours of the legislative session. Efforts to reform Colorado's land use strategies are sure to continue in future sessions and CCH will remain focused on affordability strategies, displacement mitigation measures, and statewide engagement in the legislative process.



*This bill concept did not make it out of its initial hearing during the 2022 legislative session, and its success this time around indicates a clear acknowledgement that increasing availability and affordability of housing requires development of new housing stock across the state.*



Despite the loss on land use, one bill which seeks to encourage quicker, higher density housing development did pass. **HB23-1255 (Reps. Lindstedt & Dickson; Sen. Gonzales)** overrides all existing laws that limit the number of residential permits or construction projects that a city can approve each year. It also bans future growth caps at the municipal level. With support from housing advocates, including CCH, the bill passed the House on a vote of 38-25-2 and the Senate on a vote of 20-15-0. The House then concurred with Senate amendments and repassed 41-23-1. This bill concept did not make it out of its initial hearing during the



2022 legislative session, and its success this time around indicates a clear acknowledgement that increasing availability and affordability of housing requires development of new housing stock across the state.

A bill was also introduced related to implementation of Proposition 123—which Colorado voters approved in November of 2022. The Proposition created new affordable housing and homelessness resolution programs funded with \$300M in previously collected annual income tax revenue. **HB23-1304 (Reps. McCluskie & Frizell; Sens. Roberts & Exum)** made the following changes related to the Proposition: includes tribal governments as eligible recipients of funding; adjusts the administration of the programs; adds clarification around requirements for government entities to opt in; creates a pathway for rural resort communities to petition for an exemption to existing income standards; and establishes additional reporting requirements. The Coalition advocated for several amendments, including adding greater specificity about aligning any exemptions to income standards with a community's demonstrated need, allowing nonprofit organizations to access the homelessness resolution funds (also known as the Support Fund) separate from housing program requirements so a community can access those dollars more easily, and ensuring that nonprofits can continue to receive funding even if a local government does not or cannot opt in. While not all suggestions were incorporated in the enacted bill, the Coalition is dedicated to continuing discussion around implementation strategies and ensuring that programs enabled by this funding remain aligned with what voters approved. The bill passed with strong bipartisan support in both chambers, on an initial vote of 61-4-0 in the House and 27-8-0 in the Senate. The House then concurred with Senate amendments and repassed on a vote of 59-5-1.



The Coalition also worked to amend a bill promoting public-private partnerships to develop housing. **SB23-001 (Sens. Roberts & Zenzinger; Reps. Bird & Lukens)** clarifies that the Public-Private Collaboration Unit in the Department of Personnel can engage in real estate transactions for the purpose of acquiring unused or underutilized state-owned land for affordable housing developments. In response to CCH's concerns about housing affordability, the sponsors agreed to an amendment specifying that development must be responsive to a community's or region's demonstrated need and that such property transfers should be in the pursuance of affordable housing, not just housing supply more broadly. The bill passed with bipartisan support on votes of 28-7-0 in the Senate and 50-15-0 in the House. The Senate then concurred with the House amendments and repassed 26-9-0.

The Coalition was an early stakeholder on **HB23-1190 (Reps. Boesenecker & Sirota; Sens. Winter and Jaquez Lewis)**, which creates a right of first refusal – the first opportunity to make an offer in a particular transaction – for a local government to purchase residential or mixed-use multifamily property if they commit to providing long-term affordable housing. Colorado Poverty Law Project, Maiker Housing Partners, Colorado Counties & Commissioners Acting Together, Colorado Municipal League, and The Denver Foundation were the lead advocates on the bill. The Coalition was supportive of the policy concept, while also pushing hard for amendments to strengthen affordability standards and to extend the right of first refusal to certain nonprofits, which ultimately raised constitutional concerns. The bill was heavily amended in both chambers and passed on a narrow margin with the House initially voting 43-21-1 and the Senate voting 19-16-0. The House then concurred with Senate amendments and repassed 41-20-4.

The Coalition also engaged on **SB23-148 (Sen. Cutter; Rep. Lindsay)**. The bill requires the Colorado Department of Public Health and Environment to create a public database of buildings that have been used as illegal drug laboratories. The definition of illegal drug laboratories includes housing units where methamphetamine (meth) was used, not only manufactured, and the threshold for contamination is low. This concerned the Coalition's safety staff because practically any use by residents could result in a black mark in the database and require costly remediation. It could also negatively impact tenants by forcing them out of their homes for remediation without warning and



lead to the stigmatization of multifamily properties or certain neighborhoods. Fortunately, the sponsors were willing to amend the bill to specify that it only pertains to locations where meth was manufactured. CCH and other nonprofit housing providers will consider pushing for future legislation to mitigate the cost of remediation, improve tenant stability protections, and examine the low threshold for both remediation and registration that could sweep in units where negligible use occurred. The bill passed on a vote of 23-11-1 in the Senate and 48-17-0 in the House, and repassed 23-12-0 in the Senate.



## RENTERS' PROTECTIONS

Renters' protections were again a primary focus for CCH this year, both in advancing the organization's policy priorities and in amending other bills to prevent unintended consequences. As an owner and operator of more than 2,100 affordable and supportive housing units, the Coalition's goal was to strengthen protections for tenants while preserving landlords' interests and ensuring that Affordable Housing providers do not become overly burdened by duplicative or incompatible laws and regulations.

The Coalition partnered with the Colorado Poverty Law Project (CPLP) as co-leads on a bill to expand protections for tenants, **SB23-184 (Sens. Winter & Exum; Reps. Froelich & L. Garcia)**. The bill concept was inspired by experiences of CCH clients and housing navigators and CPLP clients and has four main components. First, it ensures that fair housing violations, including source of income violations, can be raised as an affirmative defense to an eviction. Second, it caps security deposits at 2x the monthly rent amount. Colorado joins 28 other states and Washington D.C. in limiting security deposits. Third, it allows a landlord to require that a renter demonstrate that they earn at least 2x the cost of rent, allowing renters to spend up to 50% of their income on rent. This makes Colorado the first state in the nation to cap minimum income requirements for all renters. Finally, for a tenant with a housing subsidy, it specifies that this 2x minimum income standard applies only to the portion of rent for which the tenant is responsible and disallows consideration of credit history. This policy aligns with trends in Colorado's housing market, while still assuring that tenants are well positioned to meet their financial obligations. It also addresses the loophole left by

[HB20-1332](#) which prohibits discrimination based on source of income. The bill was amended substantially to address concerns raised by the Colorado Association of Realtors, the Colorado Apartment Association, the Colorado Association of Bankers, and the Colorado Housing Finance Authority, ensuring a smooth path to the Governor's desk. Expert testimony from CCH Case Manager, David Taylor also helped demonstrate the positive impact it would make in the lives of low-income tenants who were previously required to earn 3x, 5x, even 8x the rent amount to qualify for a home. Ultimately, the bill passed on a vote of 22-12-1 in the Senate and 43-22-0 in the House.

The Coalition also shaped and advocated in favor of several other bills that will strengthen protections for Colorado tenants. One of those bills, **HB23-1099 (Reps. Vigil & Weissman; Sens. Fields & Exum)**, will require a landlord to accept a portable tenant screening report from a prospective tenant. A report must have been prepared within the previous 30 days and be made available directly from a consumer reporting agency. If a tenant provides a portable screening report, the landlord is not permitted to collect an application fee. Sam Moser, a Bilingual Family Outreach Associate with the Coalition, testified in support of the bill in both chambers, making the point that this policy will help individuals and families save money on application fees and exit homelessness more quickly. The bill will also give some teeth to the Rental Application Fairness Act by creating a \$2,500 fine for violations and authorizing enforcement by the Attorney General's office. The bill initially passed on votes of 44-19-2 in the House and 20-12-3 in the Senate. The House then concurred with Senate amendments and repassed 43-19-3. The Coalition is grateful to the Colorado Poverty Law Project and Progress Now Colorado for their leadership on this bill.



Another important bill, **HB23-1120 (Reps. Joseph & Ortiz; Sens. Fields & Winter)**, requires landlord-tenant mediation before an eviction can be filed and increases the time tenants are given to move out following an eviction from 10 to 30 days. This policy only applies to tenants who have disclosed that they receive federal disability benefits (SSI/SSDI) or Temporary Assistance for Needy Families (TANF) benefits (called Colorado Works in this state). The Coalition successfully advocated for two amendments to the bill. The first will allow nonprofit housing providers who already have mediation programs in place to continue operating those programs without additional or conflicting requirements. The second will ensure that the move-out period following an eviction order for substantial violations—which typically cause major health and safety concerns—remains at 10 days rather than being extended to 30 days as it is for other types of less serious violations. The bill passed the House on a vote of 44-20-1 and passed the Senate on a vote of 20-14-1. The House concurred with Senate amendments and repassed 45-18-2. This bill codifies best practices that the Coalition is already modeling and will help keep Colorado’s most vulnerable renters—those with disabilities and young children—housed, preventing homelessness.

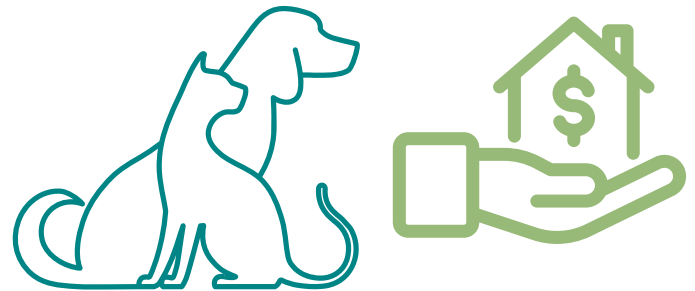
Led by the Colorado Children’s Campaign and Colorado Poverty Law Project, CCH also supported **HB23-1186 (Reps. Lindsay & Jodeh; Sens. Exum & Jaquez Lewis)**. This bill allows landlords and tenants to participate virtually in eviction proceedings, permits all parties to file court documents electronically without fees, and requires compliance with accommodations for people with a disability or limited English proficiency. This policy change is expected to benefit roughly 8,000 households who may otherwise face a default judgment and lose their home because they are unable to appear in court in person. The bill passed 44-18-3 in the House and 21-12-2 in the Senate.



*This bill codifies best practices that the Coalition is already modeling and will help keep Colorado’s most vulnerable renters—those with disabilities and young children—housed, preventing homelessness.*



The Coalition also worked to amend two more bills which ultimately passed. The first, **HB23-1068 (Rep. Valdez; Sens. Winter and Jaquez Lewis)**, reduces barriers to renting based on pet ownership and breed. The bill passed 34-25-6 in the House and 20-14-1 in the Senate. The House then concurred with Senate amendments and repassed 40-24-1. The second, **HB23-1095 (Reps. Woodrow & Lindsay; Sens. Winter & Hinrichsen)**, prohibits certain harmful lease clauses. Amendments focused on protecting Affordable Housing providers’ interests first moved CCH into a monitor position and later a support position, respectively. The bill initially passed 43-21-2 in the House and 19-16-0 in the Senate. The House then concurred with Senate amendments and repassed 39-23-3.



Not all the pro-tenant bills that were introduced made it to the Governor’s desk. The long-awaited repeal of Colorado’s prohibition on local rent control, HB23-1115 (Reps. Mabrey & Velasco; Sen. Rodriguez), failed in the Senate Local Government & Housing committee on a 3-4 vote after passing the House on a party-line vote. The Coalition offered an amendment to ensure that Affordable Housing providers would not be forced to navigate conflicting rent standards. This amendment was accepted, getting CCH to a support position on the bill. HB23-1171 (Reps. Mabrey & Gonzales-Gutierrez; Sens. Gonzales & Hinrichsen), which would have prevented displacement and homelessness by prohibiting evictions without just cause, made it past that same hurdle but ultimately died on the calendar when the Senate failed to raise it for debate in the final days of the legislative session. The Coalition was a stakeholder on both bills and successfully advocated for amendments that would have aligned the proposals with existing nonprofit housing provider standards and practices. The Coalition will continue to push for these policies alongside partners including 9to5 Colorado, Together Colorado, United for a New Economy, Colorado Homes for all, and Community Economic Defense Project.

## ECONOMIC SECURITY & PUBLIC BENEFITS

The Coalition is committed to preventing homelessness by supporting policies that increase Coloradans' economic security on a structural level. Early in the legislative session, [CCH released a short report](#) highlighting the pending changes in public benefits that were occurring and that could significantly threaten the economic stability of low-income households and people experiencing homelessness. **HB23-1126 (Reps. Ricks & Weinberg; Sen. Exum)** is one such policy. Championed by partners at the Colorado Center on Law and Policy, the bill prohibits consumer reporting agencies from including medical debt information in a credit report. There is a deep intersection between medical debt and housing insecurity. [Studies show](#) that over a quarter of people with medical debt report experiencing housing-related problems such as eviction, and any amount of medical debt increases the amount of time a person experiences homelessness by an average of two years.

The Coalition's Housing Policy Fellow, Andrew West, was a key stakeholder on the bill. Former Coalition Housing Navigator Kayce Atencio and Stout Street Health Center Nursing Medical Assistant Lindsey Vance also testified on the bill based on their personal experiences related to medical debt. Despite receiving unanimous support in the House Business Affairs & Labor Committee and moving smoothly through the legislative process, the bill was amended on third reading in the Senate under threat of veto by the Governor. The bill now includes a provision for a study to determine the law's impact and a 5-year sunset, meaning protections will expire on July 1, 2028, if the legislature does not take action to extend them. The bill initially passed the House on a 46-18-1 vote and the Senate on a 22-10-3 vote. The House then concurred with the Senate's amendments and repassed on a 44-19-2 vote. Colorado is the first to pass a policy like this, setting a strong precedent nationwide. This bill is expected to impact roughly 700,000 Coloradans.



The Coalition also endorsed a package of bills spearheaded by the tax experts at the Colorado Fiscal Institute (CFI), with mixed results. The first bill, **HB23-1006 (Reps. Young & Daugherty; Sen. Exum)**, will require employers to inform employees of the availability of the federal and state Earned Income Tax Credit (EITC) and Child Tax Credit (CTC) with the goal of increasing the uptake rates of these important tax credits. The bill passed on a vote of 43-20-2 in the House and 22-12-1 in the Senate. The next bill, **HB23-1078 (Reps. Willford & Gonzales-Gutierrez; Sens. Hansen & Winter)** would have created a small boost to the unemployment insurance benefit for parents and caregivers who lose their job through no fault of their own. After passing the House on a 36-28-1 vote, the bill failed on a 4-5 vote in the Senate Business, Labor & Technology Committee. The final bill, **HB23-1112 (Rep. Bird; Sens. Hansen & Kolker)**, will temporarily expand Colorado's EITC and CTC to help families better meet their basic needs. The bill passed with strong bipartisan support on a vote of 54-9-2 in the House and 26-8-1 in the Senate. The House concurred with Senate amendments and repassed 53-11-1. [Research](#) shows that tax policies like expanding the EITC/CTC are critical social determinants of health. The Coalition will continue to partner with organizations such as CFI to advance meaningful and equitable tax policy and public benefits reforms.

## PUBLIC HEALTH & HEALTHCARE

One of the Coalition's priority bills, **HB23-1300 (Reps. Bird & Sirota; Sens. Zenzinger & Kirkmeyer)** passed with strong bipartisan support (53-11-1 in the House and 31-3-1 in the Senate). This bill was a response to the end of increased benefits under the federal [public health emergency](#) (PHE) related to the pandemic. Federal legislation guaranteed that anyone enrolled in Colorado's Medicaid program would keep health coverage throughout the PHE, even if their eligibility changed. This continuous coverage requirement also applied to children and pregnant people covered by the Child Health Plan Plus (CHP+) program. As the PHE draws to a close, participants must now go through a recertification process to stay enrolled in Medicaid. This is likely to result in mass disenrollments in the next 12+ months either due to administrative challenges for those who qualify for the program or ineligibility for those who do not.

The bill requires the Colorado Department of Health Care Policy & Finance (HCPF) to submit a waiver application to the federal government that extends continuous Medicaid and CHP+ coverage continuously for children (0-3 years) and for 12 continuous months for individuals being



released from prison. It also includes automatic renewal for adults with zero-income who meet certain criteria, which likely includes a portion of recipients who are experiencing homelessness. Initially, proponents' proposal included coverage for all people experiencing homelessness and those below 33% of the federal poverty level, but because of the large fiscal note, these populations were cut. Fortunately, the bill also establishes a stakeholder-informed study to determine how best to expand on the initial waiver application to meet more health needs of Coloradan including older children, justice-involved people, people experiencing homelessness, and low-income adults. The expansion will begin no later than January 2026. While this will not impact individuals expected to lose their benefits in the next 12+ months, the bill represents an important lesson learned from the pandemic and will make Colorado better prepared for future challenges. The Coalition is grateful to partners at the Colorado Children's Campaign, Colorado Center on Law and Policy, Colorado Criminal Justice Reform Coalition, and others for their leadership on this effort.

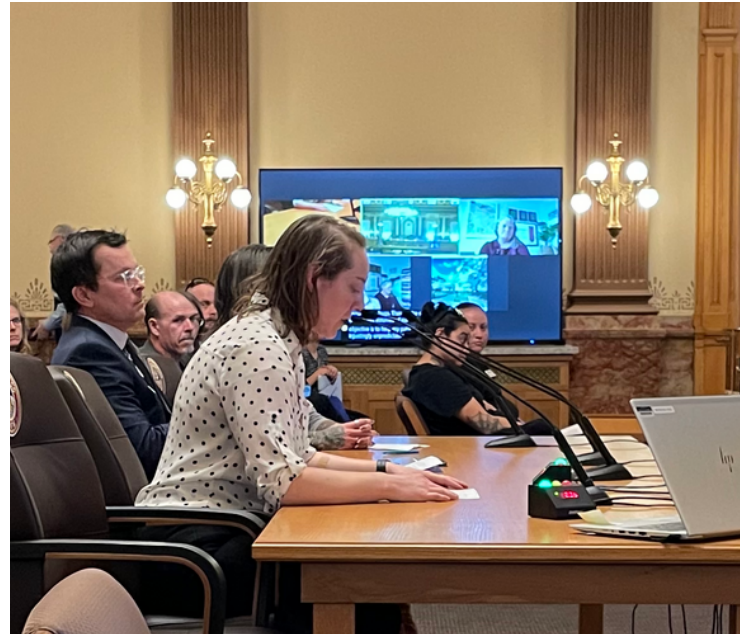
The Coalition also endorsed another bill expanding Medicaid coverage. **SB23-002 (Sens. Mullica & Simpson; Reps. McCluskie & Bradfield)**, led by Children's Hospital of Colorado, will authorize HCPF to seek federal authorization to allow community health workers (CHWs) to be reimbursable under Medicaid. While the Coalition does not currently employ CHWs, this bill helps create a pathway to do so in the future. The bill was also amended to direct HCPF to work with stakeholder to determine how CHWs will be captured in Federally Qualified Health Center cost reports. The bill passed with robust bipartisan support on votes of 31-4-0 in the Senate and 63-3-0 in the House.

## SUBSTANCE USE & HARM REDUCTION

The Coalition engaged on four main bills related to substance use disorders (SUD) alongside partners at the Harm Reduction Action Center, Mental Health Colorado, the Colorado Providers Association, the American Civil Liberties Union of Colorado, and many others.

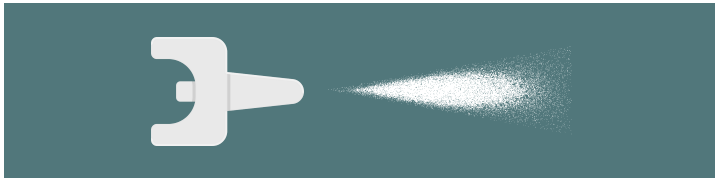
The first to move through the legislative process was **HB23-1167 (Reps. DeGruy Kennedy & Sharbini; Sen. Roberts)**. This bill strengthens Colorado's "Good Samaritan" laws, previously diminished by HB22-1326, by extending immunity from arrest and prosecution for certain criminal offenses to individuals who seek out or administer life-saving aid in the event of an overdose.

This will help prevent fatal overdoses by encouraging individuals to call 9-1-1 when a friend, family member, or acquaintance is experiencing an overdose and ideally stay at the scene to administer naloxone, perform CPR, direct EMS to the site, and explain what happened. The Coalition testified in support of the bill which passed the House on a vote of 43-20-2 vote and then the Senate on a vote of 24-11-0.



**SB23-109 (Sens. B. Pelton & Mullica; Reps. Lynch & Snyder) builds on HB22-1326** – which the Coalition vehemently opposed during the previous legislative session – by making it a Level 1 drug felony if a person sells or shares certain drugs that result in and overdose death. This type of policy is commonly referred to as “drug induced homicide” or DIH. Previously, only fentanyl was included in Colorado’s DIH law. However, due to an increasingly unpredictable drug supply resulting in overdoses from a mix of substances, proponents sought to expand its scope. The Coalition joined a robust group of advocates, public health experts, and medical providers in opposing the bill, testifying to that position in both chambers. The Coalition’s own Dr. Sarah Axelrath helped inform the organization’s position and provided testimony in the Senate Judiciary committee. Despite well-intentioned Senate amendments that would have established a narrow exemption for certain drug-sharing cases and made limited DIH charges probation eligible, the bill still would have been extremely harmful. The bill would have undermined Colorado’s Good Samaritan laws, encouraged people to use alone – the most dangerous risk factor for fatal overdose – and exacerbated the homelessness-incarceration cycle, which increases instability and disconnection from community support and critical resources. Members of the House Judiciary committee agreed with opponents, postponing the bill indefinitely after a failed 5-8 vote.

Notwithstanding these successes, there was one major disappointment in SUD policy this year. **HB23-1202 (Reps. Epps & Willford; Sens. Priola & Gonzales)** was a long-awaited, thoroughly researched, bipartisan effort to allow Colorado's municipalities to authorize the operation of an overdose prevention center (OPC) within the city's jurisdiction for the purpose of saving the lives of persons at risk of preventable overdoses. The Coalition's Dr. Sarah Axelrath again provided compelling testimony in the first chamber. The House passed the bill on a 43-21-1 vote. Despite evidence that OPCs reduce communicable disease transmission, decrease in-public drug consumption, reduce public litter of drug consumption equipment, reduce crime in the neighborhoods where they are located, and save lives, the bill was postponed indefinitely in the Senate Health & Human Services committee on a 6-3 vote. The Coalition will continue to fight for OPCs and other evidence-based harm reduction strategies to address Colorado's drug overdose epidemic.



The Coalition also engaged in a lengthy stakeholder process on HB23-1204 (Reps. Lindstedt & Weinberg; Sen. Priola) which requires a recovery residence or sober living facility to implement a client discharge and transfer policy in the case of certain violations of community agreements. CCH is grateful to the sponsors for amendments that will slow the discharge process slightly and increase requirements around contacting family members/emergency contacts. However, those changes failed to address concerns around due process and risk of homelessness post-discharge, particularly in cases where a resident may have been falsely accused of a violation. The bill ultimately passed 52-12-1 in the House and unanimously in the Senate.

## CRIMINAL LEGAL REFORM

The final issue area in which the Coalition engaged was criminal legal reform. CCH initially took an oppose position on HB23-1135 (**Reps. Michaelson Jenet & Bird; Sens. Smallwood & Zenzinger**), which increases the penalty for indecent exposure in front of a child, because of concerns that people experiencing homelessness engaging in acts of survival in public could be targeted under the bill. Amendments negotiated by the Colorado Criminal Defense Bar which specified that the person exposing themselves must knowingly be doing so in front of a child under a certain age specifically for sexual gratification got the

Coalition to a neutral position on the bill. The bill passed on votes of 37-27-1 in the House and 34-0-1 in the Senate.

The Coalition also supported a bill to eliminate the cost of phone calls for people in Department of Corrections (DOC) custody, **HB23-1133 (Reps. Lindsay & Amabile; Sens. Gonzales & Rodriguez)**. Building and sustaining relationships are essential to breaking the devastating cycle of homelessness and incarceration. Being able to grow support networks and seek housing and service resources while incarcerated without exhausting limited financial resources is crucial to getting on a path to stability. With guidance from Progress Now Colorado and other lead advocates, CCH submitted written testimony in support of the policy. After undergoing amendments to limit the cost of the bill, it passed on a vote of 41-19-5 in the House and a vote of 23-12-0 in the Senate.



## LOOKING FORWARD

With the 2023 legislative session in the rearview, CCH looks to engage in the implementation of the many bills that did pass and continue conversations on those that failed. Most notably, the Coalition will work with partners on land use reforms, establishing a year-round legislative oversight committee and task force on housing and homelessness, and giving local governments the authority to establish overdose prevention centers. Housing affordability, smart growth, anti-displacement, preventing eviction, economic security, harm reduction, healthcare access, and criminal legal reform will remain high priorities. The Coalition will continue to work with its partners, staff, clients, and community members to develop lasting solutions to homelessness.



# 2023 COLORADO COALITION FOR THE HOMELESS BILL TRACKING SUMMARY

## HOUSING

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1190</a>	Reps. Boesenecker & Sirota; Sens. Winter and Jaquez Lewis	Affordable Housing Right of First Refusal	The bill creates a right of first refusal to purchase multifamily residential property by local governments	Amend	Passed
<a href="#">HB23-1232</a>	Reps. McCluskie & Jodeh; Sen. Roberts	Extend Housing Toolkit Time Frame	The bill clarifies the ability of the Colorado Division of Housing to spend certain funds	Support	Passed
<a href="#">HB23-1253</a>	Reps. Sharbini & Lindsay; Sen. Heinrichsen	Task Force to Study Corporate Housing Ownership	The bill establishes a task force to study corporate home ownership and make legislative recommendations to mitigate any negative impacts related to corporate ownership of housing	Support	Passed
<a href="#">HB23-1255</a>	Reps. Lindstedt & Dickson; Sen. Gonzales	Regulating Local Housing Growth Restrictions	The bill preempts local regulations limiting the number of building permits issued for development	Support	Passed
<a href="#">HB23-1302</a>	Reps. Ortiz & Lieder	Housing Accessibility	The bill modifies the standards for accessible housing and updates the prohibition on unfair or discriminatory housing practices against individuals with disabilities	Amend	Failed



## HOUSING (CONTINUED)

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1304</a>	Reps. McCluskie & Frizell; Sens. Roberts & Exum	Proposition 123 Affordable Housing Programs	The bill modifies the affordable housing programs created by the voters' approval of proposition 123	Amend	Passed
<a href="#">SB23-001</a>	Sens. Roberts & Zenzinger; Reps. Bird & Lukens	Authority Of Public-private Collaboration Unit for Housing	The bill clarifies functions of the Public-Private Collaboration Unit for public projects that provide housing	Amend	Passed
<a href="#">SB23-035</a>	Sens. Bridges & Moreno; Reps. Herod & Joseph	Middle-Income Housing Authority Act	The bill expands the power of the Middle-Income Housing Authority to enter into public-private partnerships	Amend	Passed
<a href="#">SB23-082</a>	Sens. Zenzinger & Kirkmeyer; Reps. Amabile & Michaelson Jenet	Colorado Fostering Success Voucher Program	The bill creates and funds the Colorado fostering success voucher program to assist foster youth	Support	Passed
<a href="#">SB23-148</a>	Sen. Cutter; Rep. Lindsay	Illegal Drug Laboratory Property and Certification	The bill requires the creation of a public database of buildings that have been used as illegal drug laboratories	Amend	Passed
<a href="#">SB23-213</a>	Sen. Moreno; Reps. Jodeh & Woodrow	Land Use	The bill reimagines state land use requirements, including zoning reform, and requires needs assessments to determine regional housing needs	Amend	Passed

## RENTERS' PROTECTIONS

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1032</a>	Rep. Ortiz; Sen. Rodriguez	Remedies Persons with Disabilities	The bill modifies civil action remedy provisions for civil rights violations of persons with disabilities	Monitor	Passed
<a href="#">HB23-1068</a>	Rep. Valdez; Sens. Winter and Jaquez Lewi	Pet Animal Ownership in Housing	The bill prohibits restrictions on dog breeds for obtaining renter's insurance, creates standards for how pets are handled following an eviction, limits security deposits and rent for pet animals, and excludes pets from personal property liens	Monitor	Passed
<a href="#">HB23-1095</a>	Reps. Woodrow & Lindsay; Sens. Winter & Hinrichsen	Prohibited Provisions in Rental Agreements	The bill prohibits certain harmful lease clauses including waivers of a right to class or collective claims or actions	Support	Passed
<a href="#">HB23-1099</a>	Reps. Vigil & Weissman; Sens. Fields & Exum	Portable Screening Report for Residential Leases	Except in certain circumstances, the bill requires a landlord to accept from a prospective tenant a portable tenant screening report that is made directly available to the landlord from a consumer reporting agency	Support	Passed
<a href="#">HB23-1115</a>	Reps. Mabrey & Velasco; Sen. Rodriguez	Repeal Prohibition Local Residential Rent Control	The bill repeals statutory provisions prohibiting counties and municipalities from enacting any ordinance or resolution that would control rent on private residential property or a private residential housing unit	Support	Failed

## RENTERS' PROTECTIONS (CONTINUED)

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1120</a>	Reps. Joseph & Ortiz; Sens. Fields & Winter	Eviction Protections for Residential Tenants	Creates new eviction protections for residential tenants who receive certain forms of public assistance	Support	Passed
<a href="#">HB23-1171</a>	Reps. Mabrey & Gonzales-Gutierrez; Sens. Gonzales & Hinrichsen	Just Cause Requirement Eviction of Residential Tenant	The bill prohibits a landlord from evicting a residential tenant unless the landlord meets the standard for just cause for eviction	Support	Failed
<a href="#">HB23-1186</a>	Reps. Lindsay & Jodeh; Sens. Exum & Jaquez Lewis	Remote Participation in Residential Evictions	The bill allows remote participation by landlords, tenants, and witnesses in eviction hearings	Support	Passed
<a href="#">HB23-1254</a>	Reps. Brown & Mabrey; Sen. Cutter	Habitability of Residential Premises	The bill expands conditions covered under the warranty of habitability for residential premises to include damage due to an environmental public health event	Support	Passed
<a href="#">SB23-184</a>	Sens. Winter & Exum; Reps. Froelich & L. Garcia	Protections for Residential Tenants	The bill prohibits a landlord from considering certain information relating to a prospective tenant's income or rental history, establishes a maximum security deposit, and allows a tenant to assert discrimination as an affirmative defense in an eviction proceeding	Support	Passed



## PUBLIC BENEFITS & ECONOMIC SECURITY

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">SB23-027</a>	Sen. Cutter & Rep. Story	Food Pantry Assistance Grant	The bill appropriates money from the general fund to the food pantry assistance grant program	Support	Failed
<a href="#">HB23-1006</a>	Reps. Young & Daugherty; Sen. Exum	Employer Notice of Income Tax Credits	The bill requires employers to notify employees of the availability of the federal earned income tax credit, the state earned income tax credit, the federal child tax credit, and the state child tax credit	Support	Passed
<a href="#">HB23-1008</a>	Reps. Weissman; Sens. Fields & Heinrichsen	Food Accessibility	The bill provides funding for healthy eating program incentives	Support	Passed
<a href="#">HB23-1078</a>	Reps. Willford & Gonzales-Gutierrez; Sens. Hansen & Winter	Unemployment Compensation Dependent Allowance	The bill creates a dependent allowance for individuals receiving unemployment compensation	Support	Failed
<a href="#">HB23-1112</a>	Rep. Bird; Sens. Hansen & Kolker	Earned Income and Child Tax Credits	The bill increases the state earned income tax credit and restructures the state child tax credit	Support	Passed
<a href="#">HB23-1126</a>	Reps. Ricks & Weinberg; Sen. Exum	Consumer Reports Not Include Medical Debt Information	The bill prohibits the reporting of medical debt information by consumer reporting agencies	Support	Passed
<a href="#">HB23-1158</a>	Reps. Willford & Taggart; Sen. Mullica	Colorado Commodity Supplemental Food Grant Program	The bill creates the Colorado commodity supplemental food grant program to provide grants of money to aid certain entities in purchasing and distributing food packages to qualifying low-income older Colorado adults	Support	Passed

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">SB23-107</a>	Sen. Liston	Senior And Veterans with Disabilities Property Tax Exemption	The bill specifies that a senior who would not otherwise be eligible qualifies for the senior property tax exemption for the residence if certain conditions are met	Support	Failed
<a href="#">SB23-036</a>	Sens. Peloton & Cutter; Reps. Armagost & Ortiz	Veterans with Disabilities Property Tax Exemption Requirements	The bill changes the application process for the property tax exemption for veterans with a disability	Support	Passed

## HEALTHCARE & PUBLIC HEALTH

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1002</a>	Reps. Mabrey & Jodeh; Sen. Roberts	Epinephrine Auto-Injectors	The bill creates an epinephrine auto-injector affordability program to provide low-cost epinephrine auto-injectors to certain individuals	Support	Passed
<a href="#">HB23-1300</a>	Reps. Bird & Sirota; Sens. Zenzinger & Kirkmeyer	Continuous Eligibility Medical Coverage	The bill requires the Department of Health Care Policy and Financing to submit a waiver to the federal government to extend continuous eligibility Medicaid coverage for certain individuals	Support	Passed
<a href="#">SB23-002</a>	Sens. Mullica & Simpson; Reps. McCluskie & Bradfield	Medicaid Reimbursement for Community Health Services	The bill authorizes the Department of Health Care Policy and Financing to seek federal authorization to provide Medicaid reimbursement for community health worker services	Support	Passed

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">SB23-033</a>	Sens. Rodriguez & Fields; Rep. Amabile	Medicaid Preauthorization Exemption	The bill prohibits the imposition of prior authorization, step therapy, and fail first requirements for Medicaid coverage of a prescription drug to treat serious mental health disorders	Support	Failed
<a href="#">SB23-182</a>	Sens. Zenzinger & Kirkmeyer; Reps. Bird & Pugliese	Temporary Suspension Of Medicaid Requirements	The bill suspends certain statutory enrollment and cost-sharing requirements under Medicaid	Support	Passed

## SUBSTANCE USE & HARM REDUCTION

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1164</a>	Sen. Lynch	Opioid Harm Reduction	The bill increases penalties for the possession of certain drugs regardless of whether possession is knowing	Oppose	Failed
<a href="#">HB23-1202</a>	Reps. Epps & Willford; Sens. Priola & Gonzales	Overdose Prevention Center Authorization	The bill specifies that a city may authorize the operation of an overdose prevention center for the purpose of saving the lives of persons at risk of preventable overdoses	Support	Failed
<a href="#">HB23-1204</a>	Reps. Lindstedt & Weinberg; Sen. Priola	Recovery Residence Discharge Policy	The bill requires a recovery residence to implement a client discharge and transfer policy to discharge or transfer a client from a recovery residence in certain circumstances	Amend	Passed
<a href="#">SB23-109</a>	Sens. B. Pelton & Mullica; Reps. Lynch & Snyder	Criminal Penalty Controlled Substance Supplier	The bill increases the criminal penalty for a supplier when a person dies as a result of the use of a controlled substance	Oppose	Failed

<a href="#">HB23-1167</a>	Reps. DeGruy Kennedy & Sharbini; Sen. Roberts	Reporting of Emergency Overdose Events	The bill strengthens Good Samaritan protections related to overdose events	Support	Passed
---------------------------	---	--	--	---------	--------

## CRIMINAL LEGAL REFORM

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">HB23-1133</a>	Reps. Lindsay & Amabile; Sens. Gonzales & Rodriguez	Cost of Phone Calls for Persons in Custody	The bill eliminates the cost of phone calls for people in Department of Corrections custody	Support	Passed
<a href="#">HB23-1135</a>	Reps. Michaelson Jenet & Bird; Sens. Smallwood & Zenzinger	Penalty for Indecent Exposure in View of Minors	The bill makes indecent exposure a class 6 felony if it was knowingly committed in front of a child under 15 years of age	Monitor	Passed
<a href="#">HB23-1169</a>	Rep. Bacon	Limit Arrest for Low-Level Offenses	The bill prohibits a peace officer from arresting a person based solely on the alleged commission of a petty offense, with some exceptions	Amend	Failed

## MISCELLANEOUS

BILL	SPONSOR(S)	TITLE	DESCRIPTION	POSITION	STATUS
<a href="#">SB23-105</a>	Sens. Danielson & Buckner; Reps. Gonzales-Gutierrez & Bacon	Ensure Equal Pay For Equal Work	The bill strengthens measures to ensure equal pay for equal work	Support	Passed
<a href="#">HB23-1004</a>	Rep. Velasco; Sen. Gonzales	Language Access In Insurance Documents	The bill requires certain insurance policies and related documents to be accurately translated into languages used in advertisements	Support	Passed



*As advocates for social justice, the Education & Advocacy Team promotes Colorado Coalition for the Homeless' mission of preventing homelessness, increasing access to healthcare and housing, and creating pathways to greater stability by shaping public policy, building strategic community relationships, and influencing perceptions about the causes of and solutions to homelessness.*

A big thank you to all who made this work possible! Thank you for the late nights under the Gold Dome, mobilizing quickly and effectively, and always working to make a positive change in the lives of those the Coalition serves.

## SPECIAL THANKS TO OUR PARTNERS

All Families Deserve a Chance Coalition  
American Civil Liberties Union of Colorado  
Colorado Center on Law and Policy  
Colorado Children's Campaign  
Colorado Coalition for the Homeless Advocacy Committee  
Colorado Coalition for the Homeless Advocacy Network  
Colorado Community Health Network Public Affairs Committee  
Colorado Criminal Defense Bar  
Colorado Criminal Justice Reform Coalition  
Colorado Department of Local Affairs, Division of Housing  
Colorado Drug Policy Coalition  
Colorado Health Policy Coalition  
Colorado Housing Finance Authority  
Colorado Poverty Law Project  
Colorado Providers Association  
Colorado Social Legislation Committee  
Community Economic Defense Project  
Denver Homeless Leadership Council  
Enterprise Community Partners  
Enterprise Community Partners Housing Policy Stakeholder Group  
Harm Reduction Action Center  
Healthier Colorado  
Housing Colorado Policy Committee  
Mental Health Colorado  
Neighborhood Development Collaborative  
Progress Now Colorado  
Renters Roundtable  
Sustainable Housing Coalition

## QUESTIONS? EMAIL US!

*Cathy Alderman, Chief Communications  
and Public Policy Officer  
[calderman@coloradocoalition.org](mailto:calderman@coloradocoalition.org)*

*Aubrey Wilde  
Advocacy Program Director  
[awilde@coloradocoalition.org](mailto:awilde@coloradocoalition.org)*