



Colorado Broadcasters Association

HB19-1057 CONCERNING THE PUBLICATION OF FISCAL INFORMATION BY A COUNTY

Sponsors Rep. Pelton

Current law requires each county to publish a report about its expenses and contracts (expense report), the salaries of public employees and officials in the county (salary report), and the financial statements for each fund kept by the county treasurer (financial statement). The expense report is published monthly and the salary report is published twice per year. The bill changes the salary report to an annual report. Commencing January 1, 2020, the bill allows a county to publish the expense report, the salary report, and the financial statement on a county website with a link to the report published in at least one legal newspaper.

Full Text [Full Text](#)

Position Monitor

Current Status Considered Lost

Fiscal Impact [Fiscal Impact](#)

HB19-1087 CONCERNING ONLINE NOTICE OF PUBLIC MEETINGS OF A LOCAL GOVERNMENTAL ENTITY

Sponsors Rep. Soper & Sen. Bridges

Current law requires local governments to post notices of public meetings required by the state open meetings law in physical locations. The bill allows a local government to post the notices on the local government's website. The notices are accessible to the public at no charge. The notices shall be searchable, if feasible, by type of meeting, date and time of meeting, and agenda contents. A local government that posts notices of public meetings on its website may continue to post the notices in a physical location, but is not required to do so.

Full Text [Full Text](#)

Position Support

Current Status Governor Signed

Fiscal Impact [Fiscal Impact](#)



HB19-1110 CONCERNING IMPLEMENTING MEDIA LITERACY IN ELEMENTARY AND SECONDARY EDUCATION

Sponsors Rep. Cutter & Sen. Pettersen

The bill creates the media literacy advisory committee (committee) within the department of education (department). The committee is responsible for creating a report for the education committees of the house of representatives and the senate regarding the committee's recommendations for implementing media literacy in elementary and secondary education.

The commissioner of education is required to appoint members to serve on the committee.

The department is required to hire a consultant to perform the research and analysis required for the report and to draft the report for the committee. The consultant is required to distribute his or her research, analysis, and drafts to the committee regularly for feedback from committee members. The committee and consultant are required to convene to discuss the draft report and make recommendations for the final report, which is to be submitted to the education committees of the house of representatives and the senate.

Full Text [Full Text](#)

Position Monitor

Current Status House Considered Senate Amendments - Result was to Concur - Repass

Fiscal Impact [Fiscal Impact](#)

HB19-1119 CONCERNING PUBLIC DISCLOSURE OF A COMPLETED PEACE OFFICER INTERNAL INVESTIGATION FILE

Sponsors Rep. Coleman & Sen. Foote

The bill makes an internal investigation file (file) of a peace officer for in-uniform or on-duty conduct that involves a member of the public subject to an open records request. The bill requires some information to be redacted and allows other information to be redacted before complying with the open records request. The bill allows the custodian of the file to first provide a summary of the file to the requester and then allows the requester access to the file after the requester has reviewed the summary. Under the bill, a custodian of a file in which there is an ongoing criminal case can deny inspection of the file. The file becomes open for inspection after all the charges are dismissed or the defendant is sentenced.

The bill allows a person who has been denied access to any information in a completed internal affairs investigation file to file an application in court to show cause why the withheld or redacted information should not be made available to the applicant.



If the court determines, based on its independent judgment, applying de novo review, that any portion or portions of the completed internal affairs investigation file were improperly withheld, the court shall order the custodian to provide the applicant with a copy of those portions that were improperly withheld.

The bill applies to files of internal investigations that were started after the effective date of the bill.

Full Text [Full Text](#)

Position Support

Current Status Governor Signed

Fiscal Impact [Fiscal Impact](#)

HB19-1122 CONCERNING THE CREATION OF A MATERNAL MORTALITY REVIEW COMMITTEE IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Sponsors Rep. Buckner & Sen. Fields

The bill creates the Colorado maternal mortality review committee (committee), which is required to review maternal deaths, identify the causes of maternal mortality, and develop recommendations to address preventable maternal deaths, including legislation, policies, rules, and best practices that will support the health and safety of the pregnant and postpartum population in Colorado and prevent maternal deaths. The executive director of the department of public health and environment (department) is directed to appoint at least 11 members to serve on the committee.

The bill requires certain health care providers and law enforcement officials to provide medical records to the department concerning each maternal death for access by the members of the committee. The records, notes, information, and activities of the committee are confidential.

Full Text [Full Text](#)

Position Monitor

Current Status Senate Third Reading Passed - No Amendments

Fiscal Impact [Fiscal Impact](#)

HB19-1197 CONCERNING RESTRICTIONS ON MAKING PUBLIC THE PERSONAL INFORMATION OF GOVERNMENT EMPLOYEES WHOSE OFFICIAL DUTIES INVOLVE CHILD ABUSE AND NEGLECT CASES

Sponsors Rep. Carver & Sen. Gardner

The bill defines social caseworker (caseworker).

The bill makes it unlawful for a person to knowingly make available on the internet personal information of a caseworker or a caseworker's family if the dissemination of the personal information poses an imminent and serious threat to the safety of the caseworker or the caseworker's family and the person disseminating the information knew or should have known of the imminent and serious threat. Violation of the provision is a class 1 misdemeanor.

A state or local government official (official) shall remove records that the official makes available on the internet containing personal information of a caseworker or the caseworker's immediate family if the caseworker submits a request asserting that the dissemination of the personal information poses an imminent and serious threat to the caseworker or the caseworker's immediate family. The official is also required to deny a request for inspection under the "Colorado Open Records Act" for those same records.

Full Text [Full Text](#)

Position Monitor

Current Status Governor Signed

Fiscal Impact [Fiscal Impact](#)

HB19-1201 CONCERNING THE ABILITY OF A BOARD OF EDUCATION OF A SCHOOL DISTRICT TO MEET IN EXECUTIVE SESSION TO DISCUSS THE DISTRICT'S STRATEGY IN CONDUCTING NEGOTIATIONS RELATING TO CERTAIN EMPLOYMENT-RELATED AGREEMENTS

Sponsors Rep. Kipp & Sen. Coram

Under the Colorado open meetings law, a board of education of a school district (board) may hold an executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators. **Section 1** of the bill clarifies that these matters authorizing the board to meet in executive session include development by the board of its strategy for negotiations relating to collective bargaining or employment contracts.

Section 2 makes a conforming amendment to the "Colorado School Collective Bargaining Agreement Sunshine Act".



Full Text [Full Text](#)

Position Monitor

Current Status Governor Signed

Fiscal Impact [Fiscal Impact](#)

HB19-1235 CONCERNING DISPATCH RADIO COMMUNICATIONS BY GOVERNMENTAL ENTITIES

Sponsors Rep. Van Winkle

The bill requires each entity of the state government and each entity of the government of each city, county, and city and county, including special districts, (governmental entity) to broadcast its dispatch radio communications without encryption such that the communications may be monitored by commercially available radio receivers and scanners or online; except that:

- A governmental entity may encrypt all tactical radio communications or investigative radio communications so long as the encryption is necessary to preserve the tactical integrity of an operation, protect the safety of law enforcement officers or other emergency responders, or prevent the destruction of property; and
- An investigative unit of a governmental entity engaged in the investigation of criminal conduct or potential criminal conduct may encrypt its radio communications.

The bill does not restrict the encryptions of the department of corrections or the division of youth services within the department of human services.

Full Text [Full Text](#)

Position Monitor

Current Status Considered Lost

Fiscal Impact [Fiscal Impact](#)

HB19-1275 CONCERNING INCREASED ELIGIBILITY FOR THE SEALING OF CRIMINAL JUSTICE RECORDS BY INDIVIDUALS WHO ARE NOT UNDER SUPERVISION

Sponsors Rep. Weissman & Sen. Lee

- The bill repeals and reenacts the statutes related to sealing criminal justice records. The bill creates a simplified process to seal criminal justice records when:
- A case against a defendant is completely dismissed because the defendant is acquitted of all counts in the case;
- The defendant completes a diversion agreement when a criminal case has been filed; or



- The defendant completes a deferred judgment and sentence and all counts are dismissed.

The court seals those records within the criminal case without requiring the defendant to file a separate civil action.

The bill allows a defendant to petition for sealing criminal justice records when there is a criminal conviction and without requiring the defendant to file a separate civil action as follows:

- If the offense is a petty offense or a drug petty offense, the motion may be filed one year after the later of the date of the final disposition of all criminal proceedings against the defendant or the release of the defendant from supervision concerning a criminal conviction. The court seals the records if the defendant has not been convicted of a criminal offense since the later of the above dates.
- If the offense is a class 2 or 3 misdemeanor or any drug misdemeanor, the motion may be filed 2 years after the later of the date of the final disposition of all criminal proceedings against the defendant or the release of the defendant from supervision concerning a criminal conviction. The district attorney can object to the sealing. If the district attorney does not object and the crime is not a victims' rights act crime, the court seals the case if the defendant has not been convicted of a criminal offense since the later of the above dates. If the district attorney objects or the victim request a hearing, the court makes the determination after a hearing.
- If the offense is a class 4, 5, or 6 felony, a level 3 or 4 drug felony, or a class 1 misdemeanor, the motion may be filed 3 years after the later of the date of the final disposition of all criminal proceedings against the defendant or the release of the defendant from supervision concerning a criminal conviction. The district attorney can object to the sealing. If the district attorney does not object and the crime is not a victims' rights act crime, the court seals the case if the defendant has not been convicted of a criminal offense since the later of the above dates. If the district attorney objects or the victim request a hearing, the court makes the determination after a hearing and considering the district attorney's position.
- For all other offenses, the petition may be filed 5 years after the later of the date of the final disposition of all criminal proceedings against the defendant or the release of the defendant from supervision concerning a criminal conviction. The district attorney can object to the sealing. If the district attorney does not object, the court seals the case if the defendant has not been convicted of a criminal offense since the later of the above dates. If the district attorney objects, the court makes the determination after a hearing and considering the district attorney's position.

The bill specifies the offenses for which sealing is not eligible including class 1, 2, and 3 felonies and level 1 drug felonies. The bill retains the specific record sealing provisions for when no charges are filed and for victims of human trafficking, municipal offenses, and posting intimate photos of a person offenses.

The bill states a defendant is not required to waive his or her right to file a motion to seal as a condition of a plea agreement.



The bill appropriates \$47,361 to the judicial department from the judicial stabilization cash fund for the trial courts. The bill appropriates \$443,847 to the department of public safety from the Colorado bureau of investigation identification unit fund for the biometric identification and records unit.

Full Text [Full Text](#)

Position Monitor

Current Status Senate Third Reading Passed - No Amendments

Fiscal Impact [Fiscal Impact](#)

HB19-1324 **CONCERNING MOTIONS TO DISMISS CERTAIN CIVIL ACTIONS INVOLVING CONSTITUTIONAL RIGHTS**

Sponsors Rep. Cutter & Sen. Foote

The bill establishes an expedited process for a court to follow in a civil action in which a defendant files a motion to dismiss based upon the fact that the defendant was exercising the defendant's constitutional right to petition the government or of free speech. The bill also authorizes an interlocutory appeal of the granting or certain denials of the motion to dismiss.

Full Text [Full Text](#)

Position Monitor

Current Status Senate Third Reading Passed - No Amendments

Fiscal Impact [Fiscal Impact](#)

SB19-220 **CONCERNING UPDATES TO THE INDUSTRIAL HEMP REGULATORY PROGRAM ADMINISTERED BY THE COMMISSIONER OF AGRICULTURE TO ALIGN THE PROGRAM WITH THE REGULATORY REQUIREMENTS SET FORTH IN THE FEDERAL "AGRICULTURAL IMPROVEMENT ACT OF 2018"**

Sponsors Sen. Marble & Rep. Arndt

In 2018, the federal government enacted the "Agricultural Improvement Act of 2018" (federal act), which removed hemp from schedule I of the federal "Controlled Substances Act". The federal act requires the United States department of agriculture (USDA) to develop a plan for the regulation of hemp and authorizes each state to seek approval from the USDA to have primary regulatory authority over hemp production within the state by preparing and submitting a state plan of regulation to the secretary of the USDA.



The bill updates the laws governing Colorado's industrial hemp regulatory program to align with the federal act and to put the department of agriculture in a position to prepare and submit a state plan to the secretary of the USDA.

Full Text [Full Text](#)

Position Monitor

Current Status Senate Considered House Amendments - Result was to Concur - Repass

Fiscal Impact [Fiscal Impact](#)
