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## Legislative Review Committee Agenda

Meeting Notes

April 14, 2015, 4:00 p.m.

Commons Conference Room

Present: Wade Troxell, Councilmember; Ross Cunniff, Councilmember; Wendy Williams, Assistant City Manager; Ingrid Decker, Senior Assistant City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Lisa Poppaw, Councilmember

Guests: Kevin Jones, Chamber of Commerce

Councilmember Troxell called the meeting to order at 4:06 pm.

Adoption of the minutes from the March 17, 2015 meeting were moved for approval by Councilmember Cunniff and seconded by Councilmember Troxell. Minutes were adopted without amendment.

Dan described new Colorado General Assembly bills for LRC consideration:

**HB15-1257** – seeks to **Eliminate the Penalty to Increase Compliance at Cigarette Sale**. This bill eliminates the prohibition on local governments that levy fees or taxes on selling cigarettes from receiving a portion of state cigarette tax revenue. Dan reviewed a background conversation he had with CML staff indicating they are not taking a position on this bill out of deference to a longstanding taxation deal and out of concern for possible future impacts from changing this taxation scheme. LRC adopted a **monitor** position.

**HB15-1264** – is the **Homeless Persons' Bill of Rights** and concerns allowing “rest” or camping at public spaces and sets up a process limiting harassment of homeless persons who are resting. Dan briefly summarized that several staff had met with Senator Kefalas, the Senate sponsor, to provide City comments.

**HB15-1285** – concerns **Law Enforcement Use of Body-worn Cameras** and would provide a grant program law enforcement agencies could access as well creating an oversight panel to review and recommend strategies on camera usage. LRC adopted a **support** position.

**HB15-1286** – is a bill to address **Police Misconduct and Require Prosecution** the bill would have an independent legal authority review and make a recommendation for prosecuting police misconduct if a prosecutor opts not to do so. LRC adopted a **monitor** position on this bill.

**HB15-1287** – seeks to implement **Police Officer Training Improvements** and would alter the makeup of the Peace Officer Standards and Training (POST) Board and initiate a review of training standards with the intention of improving statewide quality. LRC adopted a **monitor** position.

**HB15-1288** – makes **Updates to Profiling Prohibition** and includes adding color, national origin, nationality, language, sex, gender identity, sexual orientation, socioeconomic status, and disability to the list of factors that may not be used as a basis for police interacting with the public, including suspects. LRC adopted a **monitor** position.

**HB15-1290** – establishes rules intended to **Stop Police Interference Cop Incident Recording**. The bill would create a private right of action against the employer of a peace officer who interferes with, destroys, or retaliates against a person who is lawfully recording an incident involving the peace officer, or when the peace officer intentionally seizes or otherwise obtains the recording without permission. LRC adopted a **monitor** position on this bill.

**HB15-1291** – would **Prohibit Peace Officer Use of Chokehold** unless it was utilized in self-defense situations. Fort Collins Police Services policy prohibits use of a chokehold. LRC adopted a **support** position.

**HB15-1296** – seeks to create a **Campus Sexual Assault Task Force** that would review data and make recommendations for action related to on-campus sexual assaults. LRC adopted a **support** position.

**HB15-1300** – would allow **Local Governments to enact Minimum Wage** ordinances. LRC adopted a **monitor** position on this bill and members asked for additional information on the proposal. Dan shared that he understood this bill to be intended to set up a ballot initiative to increase the Colorado minimum wage.

**HB15-1305** – makes it **Unlawful to Manufacture Marijuana Concentrate**. This bill makes it a class 2 drug felony for an unlicensed person to manufacture marijuana concentrate or permit its manufacture using an inherently hazardous substance. LRC adopted a **support** position.

**HB15-1348** – is the **Urban Redevelopment Fairness Act** and represents a reintroduction of a 2014 bill run by the Colorado Counties Inc (CCI) seeking to alter how urban renewal (URA) project deals are made. The bill seeks to place representatives from counties, special districts and school boards on a city URA Board, to share back tax increment funds to the underlying taxing entities after repaying debt, and to initiate a 120 day negotiation period between taxing authorities and the city before, if no deal is struck, requiring cities to pledge an equal percentage of sales tax to the property tax they seek from other taxing

authorities to make a URA deal. Fort Collins and other cities opposed the 2014 measure and the City has ongoing dialogue on this issue with Larimer County. LRC adopted an **oppose** position to this bill.

**SB15-217** – concerns **Police Shooting Data Collection** and directs the creation of a process for public reporting of specified data concerning officer-involved shootings that occur within certain law enforcement agencies, including the Colorado Bureau of Investigation, Colorado State Patrol, county sheriff's offices, municipal police departments, the Division of Parks and Wildlife within the Department of Natural Resources, and town marshal's offices. LRC adopted a **support** position.

**SB15-218** – requires the City to **Disclose Misrepresentations by Peace Officers**. This means that a local law enforcement agency would have to report any incidence of knowing misrepresentation in any affidavits, testimony, or internal investigations by a peace officer within its employ to the district attorney within seven days. LRC adopted a **support** position.

**SB15-219** – is a bill to enact **Peace Officer Shootings Transparency Measures** and requires each Colorado police department, sheriff's office, and district attorney to develop and electronically post or make available upon request its protocols concerning the involvement of other law enforcement agencies, including the Colorado Bureau of Investigation (CBI), when investigating a peace officer-involved shooting. The protocols are required to be in place by December 31, 2015. LRC adopted a **support** position.

**SB15-222** – seeks to provide a state **Sales and Use Tax Refund for Rural Broadband Limit**. Dan indicated he flagged this bill for LRC as an informational as the bill seeks to encourage telecommunication companies to invest in rural areas (cities less than 30,000 people). LRC adopted a **monitor** position.

**SB15-231** – seeks to **Ban Regulatory Agency Firearms and Special Operations**. This bill would prevent state and federal agency operatives from carrying firearms on operations within Colorado, the impact of this change would mean that local law enforcement would have to support these operations resulting in a cost and resource issue for Fort Collins Police Services. LRC adopted an **oppose** position.

**SB15-254** – would extend the **Renewable Energy Standard New Solar** for projects to December 31, 2016. This means that a multiplier of 3 to 1 in place for new solar projects qualifying for the renewable standard would extend. LRC adopted a **support** position.

The LRC then briefly discussed a June legislative luncheon. Dan indicated he had included this event on the 2015 calendar as a closure for the 2015 General

Assembly session and a chance to kick off interim work with state legislators. The event will be held June 23 and details are pending.

The meeting was adjourned at 5:05 pm.