



Arapahoe County 2026 Legislative Session Overview

The 2026 General Assembly was in session from January 14th to May 13th. The Democrats held the “trifecta” of control again, with Governor Polis in office and large majorities in the Senate (23-12) and the House (43-22).

A total of 626 bills were introduced this session with roughly 400 of them passing the full legislative process. The Governor has already signed more than 200 bills and has until June 12 to sign, veto, or let become law without his signature the remaining bills. Here is a full [list](#) of action he has currently taken. Note - the “pass rate” of bills has dramatically increased in recent years, as more and more bills become law.

Major Policy Bills

Transportation: Improving transit and increasing its use was a main priority of the legislature. Specifically, [SB 26-150](#) (Modernizing Regional Transportation District), [SB 26-172](#) (Front Range Passenger Rail District), and [HB 26-1269](#) (Transit Access) made it through the full legislative process. SB 26-150 modifies the RTD board and creates new requirements for RTD in order to increase the accessibility and productivity of RTD. The next bill, SB 26-172, will redraw the taxing boundaries of the Front Range Passenger Rail District, ahead of this year’s likely ballot measure, to raise sales tax in the district to activate the rail line by 2029. The other successful transit bill, HB 26-1269, establishes transparency, language access, and reporting requirements for transit agencies.

Affordable Housing: Similar to last year, legislation to promote the development of more affordable housing was a primary goal. The Governor’s priority bill, [HB 26-1001](#) (The HOME Act), passed to require local governments to allow residential development on qualified properties owned by non-profits, schools, and transit districts in an attempt to remove barriers for affordable housing. This bill was killed last year, but finally made its way to the Governor’s desk this year. The Senate’s priority bill, [SB 26-001](#) (Workforce Housing & Housing Tax Credit) allows a county to spend property tax revenue for housing authorities and workforce housing, and sell property for the development of affordable housing. [HB 26-1065](#) (Transit and Housing Investment Zones) passed to allow local governments to apply for and create transit and housing investment zones that utilize state sales tax increment financing (TIF) and tax credits to support transit and housing projects.

Land Use: The legislature introduced two bills concerning lot splitting and lot size: [HB 26-1114](#) (Allowed Minimum Lot Size for Subject Jurisdictions) and [HB 26-1308](#) (Lot Splitting Approval by Subject Jurisdictions). HB 26-1114 would have prohibited local governments from requiring the lot size for a single-family dwelling to be more than 2,000 square feet; and HB 26-1308 would

have required municipalities to approve splitting residential lots down to parcels as small as 1,200 square feet using administrative approval processes. These bills faced backlash from local governments, and both were ultimately killed.

AI and Data Centers: After multiple efforts to find a compromise on the state’s AI law (passed in [2024](#)), the Senate Majority leader introduced a compromise bill that requires companies and organizations utilizing AI to notify consumers if AI is being used to make consequential decisions, such as during hiring or housing approval. The compromise bill ([SB 26-189](#)) removed the provision requiring companies to disclose how their systems help make decisions. The bill was introduced in the last week of session and passed both chambers quickly. Additionally, two competing bills on data centers ([HB 26-1030](#) and [SB 26-102](#)) were introduced. HB 26-1030 created a tax incentive for data centers to enter the state, and SB 26-102 established environmental and consumer protection requirements for data centers. The fate of these bills was unknown until late in the session – and in the end, both bills died.

Data Privacy and Surveillance: The legislature took a close look at a few bills concerning surveillance technology and data sharing this session. The first, [SB 26-070](#) (Ban Government Access Historical Location Information Database), would have prohibited a government entity from accessing a database that contains an individual’s or vehicle’s historical location information, and prohibits the sharing of this data. The next was [HB 26-1037](#) (Ban Government Purchase of Personal Data from Third Party), which would have prohibited law enforcement and government entities from purchasing or sharing personal information from third parties, and created a private right of action. While both bills had bipartisan sponsorship, they were killed late in session due to vehement opposition from a large coalition of local governments, law enforcement, 911 authorities, and others.

Immigration: Both chambers brought forward several bills to protect the rights of immigrants. [SB 26-005](#) (Rights Violation in Immigration Enforcement Remedy) was introduced early in session to allow individuals injured during an immigration enforcement action to bring civil suits to those involved. The Governor’s Office proposed a similar measure, [SB 26-176](#) (State Remedies for Constitutional Rights Violation), to expand these liabilities to all public employees, and create a private right of action for an individual whose rights were violated under the U.S. Constitution. Only SB 26-005 passed the full process – the Governor’s bill was killed in its first committee. The legislature also passed [HB 26-1276](#) (Protect Safety of Individuals Who are Immigrants), which establishes requirements and civil liabilities related to federal immigration enforcement and state and local compliance.

State Budget

The state budget – the Long Bill, [HB 26-1410](#), and 60 plus orbital bills – passed the full process with much debate and a few changes. The bill appropriates approximately \$49 billion (total funds), of which approximately \$17.3 billion is General Fund (general tax revenue). The FY 2026-27 budget was constrained by a \$1.5 billion General Fund shortfall. This shortfall is a result of increased Medicaid utilization, a major General Fund revenue decrease due to the

implementation of the federal H.R. 1 bill, TABOR's revenue cap, and expansion of state programs in prior years.

To address the budget shortfall, JBC reduced or eliminated various state programs, such as:

- Transferring \$130 million from Proposition 123 funds (Colorado's affordable housing program) to the General Fund.
- Reducing Medicaid provider rates by 2 percent.
- Reducing state financial aid to students attending private institutions of higher education.
- Reducing \$10 million in annual allocations for the Multimodal Options Fund within CDOT.
- Sweeping dollars from the Marijuana Tax Cash Fund that support local governments.
- Reducing the state budget reserve from 15 percent to 13 percent.

Despite General Fund reductions, the JBC:

- Increased funding for K-12 education by over \$192 million.
- Flat-funded higher education and capped resident tuition increases at 3.5 percent.
- Maintained the Senior Homestead Property Tax Exemption.

As a number of the budget balancing measures were one-time, we can expect a similarly challenged budget debate in the 2027 session.

Arapahoe County Bills of Interest

It was a busy session for local governments – bills removing local control and creating unfunded mandates were introduced, but fortunately not as many as last session. One of these bills that did pass was [HB 26-1033](#) (Expanding the Colorado Cottage Foods Act). The bill expands the Colorado Cottage Foods Act (CCFA) to include certain refrigerated products, eliminates the regulatory revenue cap on producers, and authorizes counties to impose fines on producers for specific actions. The bill will put significant strain on the public health system, does not compensate the county for the added responsibility of inspection and investigation, and significantly increases risk of foodborne illness outbreaks, and as such we took an oppose position on the bill early in session. This year, House and Senate leadership sponsored the bill, which led to its passage; however, several of Arapahoe County's delegation members voted against the bill.

We also joined the opposition efforts against [HB 26-1119](#) (Authority for Different Mill Levy Rates), which would have created extensive structural change to property taxation whereby local taxing entities could set higher mill levy rates for land versus improvements (i.e. buildings, houses, etc.) on most property within their district. The concept was an initial step toward a land value property tax system to theoretically encourage high density development, but would cause disproportional impacts to neighborhoods, property owners, and special districts. After heavy lobbying and expert testimony in committee, the bill was postponed indefinitely on an 8-3 vote. On the other hand, we supported [HB 26-1313](#) (Adjust Requirements Statewide Affordable

Housing Fund), which changes the way Proposition 123 (Colorado’s Affordable Housing Program) funds are allocated by providing new baseline flexibility and creating a waiver process for local governments.

We were actively engaged in [HB 26-1317](#) (Unified Postsecondary Talent Development System), which was initiated by the Governor’s Office. This bill will create the Postsecondary Talent Development System Transition Advisory Committee to integrate oversight of higher education and workforce development programs. This committee will ultimately advise a newly formed state department, which will replace the existing Department of Higher Education. From introduction, we worked alongside other local government agencies and workforce development groups to adopt an amendment to add more workforce development representation in the form of a county commissioner on the advisory committee, and a requirement to collect information from workforce staff and account for all ages of individuals in the workforce.

The county supported a long-awaited measure ([HB 26-1429](#)) that the Governor’s Office, counties, state agencies, and advocacy organizations worked on for six months to compromise on the redesign of Colorado’s Human Services operations. The compromise bill directs the state and counties to design a collaborative model to administer public assistance programs, consisting of no more than 12 cohorts of counties, and improves technology that supports cross-county work sharing. We were a critical part of negotiation efforts to arrive at this compromise, and spoke with our delegation members about the importance of this legislation. Overall, Arapahoe County was an integral part of the construction of this policy.

Arapahoe County was also very busy keeping track of the actions by the JBC. First, we continued to monitor the funding for our new county judges awarded through [SB 25-024](#) (Judicial Officers). We worked closely with members of the JBC to ensure our funding remained intact, which it did – the finalized budget includes \$7.3 million in funding for an increase in judicial officers. Additionally, we actively worked to amend [HB 26-1399](#) (Eliminate General Fund Transfer to Multimodal Transportation Fund). As introduced, the bill permanently eliminated the \$10.5 million annual transfer to the MMOF – we joined a coalition of local governments to continue the funding, and were successful in achieving a three-year pause instead of a full elimination. We also supported [SB 26-181](#) (Works Program Reserve & Cost of Living Adjustment), which pauses the cost-of-living adjustment for two years and removes the county reserve requirement for the Colorado Works Program.

Overall, the 2026 legislative session was successful for Arapahoe County. Our biggest successes were in workforce development and judicial policy, and because of our relationships and willingness to come to the table, we achieved many of our top priorities this year.

Looking Toward 2027

Next session, both chambers will look a bit different. Every member of the House and one half of the Senators are up for election. We know that 15 members of the House and six members of the

Senate will not return due to term limits or retirements, and those numbers will likely increase with election wins and losses.

Further, the voters will choose a new Governor, Treasurer, Attorney General, and Secretary of State. The Governor's race has a large list of Republican candidates and two prominent members of the Democratic party pitted against each other. There are two federal seats that will be closely watched – U.S. Senator John Hickenlooper is up for re-election and is battling against State Senator Julie Gonzales; and the highly contested CD 8 seat in Adams and Weld counties that flipped in 2024, which will be mainly funded by national independent expenditure committees.

Many are gearing up for ballot measures in 2026. The Bell Policy Center has submitted a proposal for a graduated income tax measure, though this has a long road to get on the ballot, including obtaining signatures in every state Senate district. Other initiatives include further income tax reductions, transferring certain sales tax revenues to transportation and outdoor recreation, imposing stricter prison sentences for fentanyl crimes, and many social policy issues.

This summer and fall, legislators will be busy with their campaigns, stakeholder work, and preparation for what 2027 has in store. Due to lack of funding, however, interim committees will not be meeting – the only exception being a Medicaid review committee sponsored by the JBC. This means more informal “task forces” will be put together to discuss potential legislation.

The energy of the 2027 legislative session will be different, as we will be operating under a new administration, the state will be grappling with further federal changes, and legislators will be gearing up for another tough budget year.

[Here](#) is a link to the bill tracking report. Below is a list of bills we took action on this session.

Bill Number	Bill Title	Position	Status
HB 26-1001	Housing Developments on Qualifying Properties	Monitor	Signed by the Governor
HB 26-1033	Expanding the Colorado Cottage Foods Act	Oppose	Sent to the Governor
HB 26-1038	County Commissioner Redistricting	Amend	Sent to the Governor
HB 26-1039	Adding Municipal Jails to County Jail Oversight Requirements	Monitor	Signed by the Governor
HB 26-1063	Treating People with Behavioral Health Disorder	Monitor	Sent to the Governor
HB 26-1119	Authority for Different Mill Levy Rates	Oppose	Postponed Indefinitely
HB 26-1130	Public Restroom Baby Diaper Changing Station	Amend	Postponed Indefinitely
HB 26-1239	County Enforcement Authority	Support	Sent to the Governor
HB 26-1260	Updates to Childcare Assistance Programs	Monitor	Sent to the Governor
HB 26-1276	Protect Safety of Individuals Who Are Immigrants	Support	Sent to the Governor
HB 26-1278	Local Government Approval of Transmission Infrastructure	Monitor	Postponed Indefinitely
HB 26-1298	Background Checks for Child Welfare Placements	Amend	Sent to the Governor
HB 26-1308	Lot Splitting Approval by Subject Jurisdictions	Amend	Postponed Indefinitely
HB 26-1313	Adjust Requirements Statewide Affordable Housing Fund	Support	Sent to the Governor
HB 26-1317	Unified Postsecondary Talent Development System	Support	Sent to the Governor
HB 26-1326	Sunset Public Utilities Commission	Amend	Sent to the Governor
HB 26-1347	Federal Disability Benefits for Foster Care Youth	Amend	Sent to the Governor
HB 26-1399	Eliminate General Fund Transfer to Multimodal Transportation Fund	Amend	Sent to the Governor
HB 26-1429	County Administration Public Assistance Programs	Support	Sent to the Governor
HB 26-1430	Transportation Funding Adjustments	Monitor	Sent to the Governor
HB 26-1432	Health-Care Payment Programs	Amend	Sent to the Governor
SB 26-020	Childcare Provider Licensing & Quality	Monitor	Sent to the Governor
SB 26-112	Court Actions Related to Failure to Appear in Court	Oppose	Postponed Indefinitely
SB 26-149	Pathways for Individuals with Mental Health Disorder	Amend	Signed by the Governor
SB 26-150	Modernizing Regional Transportation District	Monitor	Sent to the Governor
SB 26-176	State Remedies for Constitutional Rights Violation	Oppose	Postponed Indefinitely
SB 26-181	Works Program Reserves & Cost of Living Adjustment	Support	Sent to the Governor