

Summary of 2023 CCI Priority Legislation Voting Position Suggestions

The table below outlines the suggested voting positions based on staff analysis of the 2023 CCI priority legislation ideas, organized by CCI steering committee. Click on the hyperlinked name of each idea to read the full proposal submitted to CCI.

Positions

- Yes – support CCI dedicating staff time to run the bill as priority legislation
- No – do NOT support CCI running the bill as priority legislation
- Abstain – not taking a position
- N/A – does not apply to Arapahoe County

LEGISLATIVE PRIORITY	POSITION	REASONING/IMPACT
Agriculture, Wildlife & Rural Affairs		
Motivating Participation in Voluntary Agricultural Districts (VADs) (Larimer)	Yes	Provides tools to protect agricultural land from future development, consistent with Arapahoe County's Comprehensive Plan. It is permissive, and each BOCC would choose which incentives to offer.
General Government		
Update CORA to Protect All Attorney/Client Privilege Communications (Larimer)	Yes	Increases confidentiality for written communication between elected officials and counsel, including but not limited to personnel issues or real estate transactions.
Allow Auctioneering Service to Conduct Foreclosure Sales (Larimer)	No	Under the purview of Sheriffs and Treasurers, which have their own associations to run similar legislation.
Limit Legislature from Convening for Legislative Changes (Montrose)	No	This proposal is unrealistic and impedes potential legislative solutions to existing issues.
Equal Pay Act Exemption (El Paso)	Yes	Increases efficiency for internal promotions and more easily allows for employee recognition. Provides efficiencies for larger counties and removes significant administrative burdens for smaller counties where employees may serve multiple functions and have to re-post positions as responsibilities change.
Justice & Public Safety		
Declaring a District Attorney Vacancy (Fremont)	No	Very limited circumstances in which this would apply (a DA losing their law license),

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		and counties are not always responsible for DA salaries.
Repeal HB19-1263, Offense Level for Controlled Substance Possession (Montrose)	Abstain	Most applicable to law enforcement. DAs and Sheriffs have expressed interest in taking the lead on this issue and CCI can choose to take a supportive role.
Extend Medical Coverage for County Jail Incarcerated Persons (Gilpin)	Yes	Aligns with Arapahoe County's legislative priority to remove the inmate Medicaid exclusion policy by increasing coverage options for incarcerated individuals. <u>Note</u> : CCI members expressed concern about this proposal due to potential administrative burden with having to bill additional insurance providers. The Jail Standards Commission is also discussing this issue, hopefully proposing solutions to the Legislative Oversight Committee.
Land Use & Natural Resources		
Treatment of Closed County Landfills (La Plata)	Yes	This bill would require CDPHE and the counties to collaborate on defining the state's role with treating closed landfills and develop a state funding pool to cover partial mitigation costs.
Public Lands		
Maintenance of County Roads Accessing State Parks (Park)	N/A	Minimal impact to Arapahoe County, but this proposal could have significant impact for counties around the state.
Tax & Finance		
Designate All Lodging Establishments as Residential Property (Grand)	No	Significant negative impacts to county and state revenue by decreasing the tax rate from commercial to residential.
Designate Short Term Rentals (STRs) as Commercial Property (Grand)	No	Per the proponent, the proposal requires further development prior to becoming a CCI priority issue.
Allow Counties to Form Urban Renewal Authorities (Adams)	Abstain	Arapahoe County has a history of opposing or abstaining from taking a position on similar legislation.

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Subject Campgrounds to Lodging Tax (Not Sales Tax) (Gunnison)	N/A	Minimal impact to Arapahoe County (if any).
Secure Statewide Voter Approval to Remove TABOR Prohibition on New or Increased Real Estate Transfer Tax (RETT) (Pitkin)	N/A	An optional RETT allows for local control while permitting communities to implement a new funding mechanism, subject to voter approval. This would likely not benefit Arapahoe County but could support many resort counties implement affordable housing initiatives.
Levy Sales Tax in Unincorporated Areas (Clear Creek)	No	If a county implements a sales tax, it should apply to all county residents. And, per the proponent, this concept is not ready to advance as a CCI legislative priority.
Levy Sales Tax of Outdoor Services and Experiences (Clear Creek)	N/A	Outdoor services and experiences are not crucial to the Arapahoe County economy. However, this could provide benefit to resort communities and give them a funding mechanism already available to municipalities.
Alternatives to Issuing Local TABOR Refunds (El Paso)	No	Additional alternatives could be administratively complex, and options already exist for counties to manage or reduce the administrative burden of issuing TABOR refunds through other methods, such as temporary mill levy adjustments or property tax bill refunds. Further, this is not relevant to counties statewide, as most counties are no longer subject to TABOR.
Secure Statewide Voter Approval to Extend Homestead Exemption to Spouses of Fallen Peace Officers and Fire Fighters (El Paso)	No	This is not an issue specific to counties, and there is a similar issue on the November 2022 ballot for voter consideration.
Transportation & Telecommunications		
Require Utility Owners to Cooperate with Road Improvement Projects (Arapahoe)	Yes	Arapahoe County submittal.

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Formation and Governance of Rail Districts (Huerfano)	No	Minimal statewide benefit to counties.
Repeal SB05-152, Local Government Competition Cable TV Telecom (Douglas)	Yes	Significant benefit to increase counties' ability to provide broadband for residents. 118 municipalities/counties have voted to repeal SB05-152 within their jurisdiction. Would enable Arapahoe County to advance outcomes of fiber master plan without election.