

2022 LEGISLATIVE SESSION REPORT



LAND TITLE ASSOCIATION OF COLORADO

The 74th Colorado General Assembly adjourned in typical fashion on May 11, 2022 only after an atypical end of session filibustering and late bills dominating the final days of the 120-day session. Since the 2018 elections, the Democratic party, who controls the General Assembly, Governor's Office and all statewide offices, successfully passed its legislative agenda in 2022. The caucus's policy priorities included fiscal relief in the form of lowering fees for vehicle registrations, gas taxes, business and professional licenses, as well affordable housing construction investments, property tax relief and loans for low-income families affected by the pandemic. Additional priority successes included millions in law enforcement grants, implementing universal pre-school and special education investments, felony charges for possession of fentanyl and protection for abortion access.

As for the Republican caucus, who holds only 39 seats of the 100 member legislature, the minority party's priority legislation was soundly defeated. Only 5 out of 44 bills considered its "package" legislation passed both chambers of the legislature. Nevertheless, the GOP, through filibustering tactics and slowing down the pace of the legislative calendar, successfully scaled back bills requiring collective bargaining agreements for county employees, burdensome regulations over toxic air contaminants, and killing bills that banned the sale of flavored tobacco, reduced single-occupant vehicle trips in the metro area, and prohibited employment discrimination for marijuana use.

Now we enter into the election phase of 2022, with all statewide offices up for re-election and hotly contested primaries in June and general election contests in November with a newly drawn district maps from the 2020 redistricting commission. With a presidential mid-term where Democrats nationally face lower polling numbers, the CO Republican Party hopes to take advantage of this public sentiment and at least overtake control of the State Senate and some gains in the House. While Governor Polis maintains relatively strong support in CO, other statewide offices controlled by Democrats may face a more heated contest in November.



Bills Introduced: 657

Bills Passed: 514

Bills Killed: 137

Bills Tracked: 31

Highlighted Legislation

[HB22-1036](#) (**Improvement Location Certificate Real Estate Forms**) requires certain forms approved by the Real Estate Commission to show whether a real estate transaction is based on an improvement location certificate or a land survey plat.

Bill was lost

[HB22-1041](#) (**Privacy Protections for Protected Persons**) expands the list of people who may request to have personal information removed from government websites in certain circumstances.

Bill was signed by the Governor on 03/24/22

[HB22-1273](#) (**Protections for Elections Officials**) prohibits any person from threatening, coercing, or intimidating an election official or making an official's personal information public on the internet if publishing such information poses a threat, and requires the removal of an election worker's information from the internet in such cases.

Bill was passed by the General Assembly

[HB22-1287](#) (**Protections for Mobile Home Park Residents**) updates the Mobile Home Park Act and the Mobile Home Park Act Dispute Resolution and Enforcement Program.

Bill was sent to the Governor

[SB22-138](#) (**Reduce Greenhouse Gas Emissions in Colorado**) creates a state income tax credit for electric-powered small off-road equipment, requires PERA and insurance companies to study climate risks to their investment portfolios, authorizes the Department of Natural Resources to regulate Class VI injection wells, and requires the Department of Agriculture to study carbon sequestration opportunities in the agriculture sector.

Bill was lost

[SB22-161](#) (**Wage Theft Employee Misclassification Enforcement**) changes laws and enforcement procedures pertaining to wage payments, employee misclassification, and workplace safety. This includes the creation of a new enforcement unit in the Department of Law.

Bill was repassed by the Senate

[SB22-171](#) (**Privacy Protections for Educators**) prohibits posting an educator's personal information online if the information poses an imminent and serious threat. The bill also exempts an educator's specific date of absence from work from the Colorado Open Rights Act.

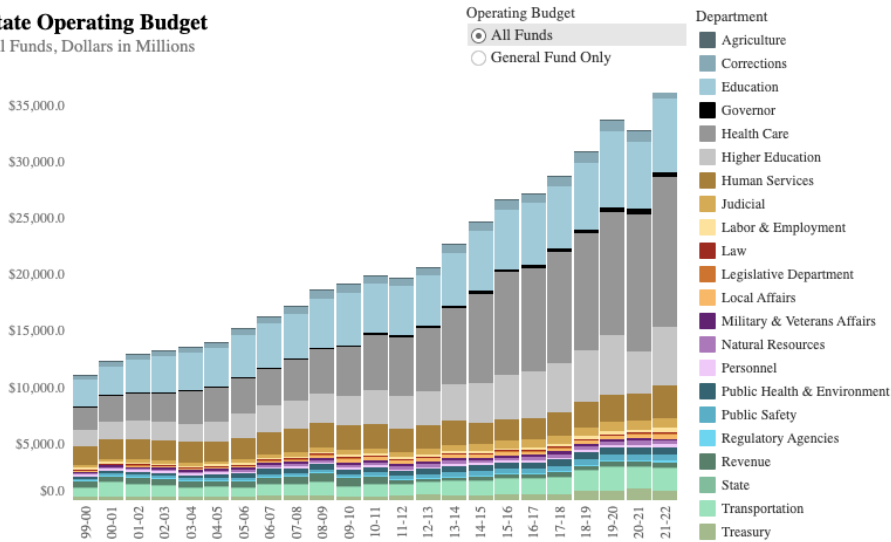
Bill was sent to the Governor

[SB22-229](#) (**Release Deed of Trust Without Evidence of Debt**) expands the exceptions under which a public trustee may release a deed of trust without evidence a debt has been paid.

Bill was repassed by the Senate

Budget

State Operating Budget
All Funds, Dollars in Millions



Budget Passed = \$36.4 Billion

This year we saw a record breaking state budget of roughly \$36.4 billion. It was the biggest budget that the legislature has ever spent in a single year, with a \$2 billion increase from last year's budget. This doesn't include the \$4 billion that Colorado received from the federal stimulus package. Despite the high spending, the increase does not match the projected 7.1% average increase in inflation across the state.

Additional Legislation

HB22-1040 (Home Owners' Reasonable Access to Common Areas) updates requirements for home owners' associations to restrict access to common elements of a community.

Bill was signed by the Governor on 04/12/22

HB22-1082 (Establish Fair Housing Unit Department of Law) creates the Fair Housing Unit in the Department of Law to enforce civil and criminal action for various housing statutes.

Bill was signed by the Governor on 05/17/22

HB22-1097 (Dissolution of Special Districts) expands the authority to file applications to dissolve a special district to include boards of county commissioners, and also allows counties and special districts with no outstanding financial obligations or debt to mutually consent to dissolution via a court order.

Bill was signed by the Governor on 03/17/22

HB22-1192 (Veterans and Military Status in Fair Housing) codifies the displaced workers grant program in the Colorado Opportunity Scholarship Initiative (COSI) in statute, and shifts a portion of the program appropriation from FY 2020-21 to the current FY 2021-22.

Bill was signed by the Governor on 03/07/22

HB22-1137 (Homeowners' Association Board Accountability and Transparency) creates requirements and limitations for HOAs when a unit owner is delinquent on assessments.

Bill was passed by the General Assembly

Additional Legislation

SB22-1239 (**Regulate Community Association Managers**) creates a licensure program for community association managers.

Bill was postponed indefinitely 03/21/22 in House Finance

HB22-1242 (**Regulate Tiny Homes Manufacture Sale and Install**) expands the authority of the State Board of Housing in the Department of Local Affairs to set standards for tiny homes.

Bill was signed by the Governor on 05/17/22

HB22-1261 (**Sunset Board of Real Estate Appraisers**). The Board of Real Estate Appraisers is set to repeal September 1, 2022. This bill continues the board until September 1, 2031, and implements several recommendations from the 2021 Sunset Review. The bill continues the board's current revenue and expenditures, with minimal ongoing changes to state agency expenditures and workload.

Bill was passed by the General Assembly

HB22-1296 (**Residential Real Property Classification**) clarifies the definition of nursing homes for property tax purposes.

Bill was passed by the General Assembly

HB22-1304 (**State Grants Investments Local Affordable Housing**) creates two grant programs to support affordable housing.

Bill was sent to the Governor

HB22-1359 (**Colorado Household Financial Recovery Program**) creates a pilot program to provide loan support to certain individuals and households affected by the COVID-19 pandemic.

Bill was repassed by the House

HB22-1363 (**Accountability to Taxpayers Special Districts**) modifies statutory provisions governing the issuance of debt by metropolitan districts.

Bill was lost

HB22-1387 (**Common Interest Communities Reserve Funds**) requires HOAs to conduct and update reserve studies.

Bill was repassed by the House

HB22-1398 (**Insurance Companies' Registered Agents**) changes to laws governing registered agents of insurance companies.

Bill was passed by the General Assembly

SB22-034 (**Business Filing Address and Name Fraud**) creates a complaint and remediation process for a person whose business identity or personal identifying information has been used fraudulently in business filings.

Bill was sent to the Governor

Additional Legislation

SB22-060 (**Limit Home Owners' Association Fee Increases for Common Elements**) would have limited certain fee increases imposed by HOAs.

Bill was postponed indefinitely on 02/15/22 by Senate Local Government

SB22-063 (**Property Ownership Fairness Act**) creates an entitlement to compensation for property owners when land-use policy negatively impacts their property values.

Bill was lost

SB22-086 (**Homestead Exemption and Consumer Debt Protection**) increases the value of certain property that is exempt from seizure to satisfy debt.

Bill was signed by the Governor on 04/07/22

SB22-092 (**Update Colorado Probate Code**) clarifies how property passes when an individual dies without a will and the estate does not pass to a surviving spouse or designated beneficiary.

Bill was signed by the Governor on 03/30/22

SB22-093 (**Expand Senior and Veteran Property Tax Exemptions**) increases the senior and veterans with a disability homestead exemption from 50 percent of \$200,000 to 50 percent of \$400,000 starting with the 2022 tax year and allows seniors who qualify for the exemption to continue to claim it if they move for reasons of medical necessity.

Bill was lost

SB22-119 (**Conservation Easement Tax Credit**) changes the Conservation Easement Tax Credit program to create a new transferable tax credit for previously disallowed tax credits and an ombudsman and arbitration process to resolve disputes concerning the distribution of the credit among affected parties.

Bill was lost

SB22-160 (**Loan Program Resident-owned Communities**) creates loan and grant programs to support mobile home owners in purchasing their mobile home parks.

Bill was signed by the Governor on 05/17/22

SB22-206 (**Disaster Preparedness and Recovery Resources**) establishes the Disaster Resilience Rebuilding Program, Sustainable Rebuilding Program, and the Office of Climate Preparedness.

Bill was signed by the Governor on 05/17/22