



2022 State Legislation: New Authorities & Mandates for Counties

The following table is designed to serve as a brief general reference guide.

Commissioners & County staff should always seek the advice and counsel of their county attorney concerning specific implementation requirements.

Historic Authorities & Mandates Tables can be found at:
<http://ccionline.org/advocacy/legislative-session/>

*CCI Legislative Priority Bill

Updated 6/14/2022

General Government
CCI Staff: Eric Bergman

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
HB22-1037 , Option for Retail and Medical Marijuana in Same Location	Counties may allow co-location of retail and medical marijuana businesses. Said businesses must still maintain separate entrances, inventory and record keeping. [C.R.S. 44-10-313(14)(a)]			August 10, 2022
HB22-1097 , County Authority for Dissolution of District*	Counties may file application for the dissolution of a special district. [C.R.S. 32-1-701(3.5)]			August 10, 2022
HB22-1300 , County License Authority for Massage Establishments	Counties may license massage establishments. [C.R.S. 30-15-401.4]			August 10, 2022
SB22-065 , Adjustment to County Coroner Salaries	Boards of county commissioners may deny full time salaries for coroners in Category 2 counties and may approve full time salaries for coroners in Category 3 & 4 counties. [C.R.S. 30-2-102 et seq]			August 10, 2022
SB22-075 , County Authority to Dismiss Cemetery Board District Member for Cause*	A board of county commissioners may remove a cemetery board district member for cause. The district member must be notified and has the opportunity to be heard at a public hearing. [C.R.S. 30-20-803]			August 10, 2022

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
SB22-153 , Internal Election Security Measures		By June 2023, all counties must establish a secure room, equipped with key-card entry and video surveillance, for all components of a voting system. [C.R.S. 1-7-513.5]	\$1m for grant program to reimburse counties for costs, in the Secretary of State.	Upon Governor's Signature
SB22-230 , Collective Bargaining for County Employees	Board of County Commissioners has the option of accepting fact-finding recommendation during impasse resolution. Recommendation is not binding upon the county. [C.R.S. 8-3-102, et seq]	If county employees vote to form a bargaining unit, the board of county commissioners must recognize the bargaining unit and negotiate in good faith with the unit. If an agreement cannot be reached during negotiation, counties must enter into impasse resolution process (mediation & fact finding) with the bargaining unit. [C.R.S. 8-3-102, et seq]		July 1, 2023

Health & Human Services

CCI Staff: Gini Pingnot, Kyley Burress, Katie First

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
<p>HB22-1295, Department of Early Childhood</p>	<p>Counties may apply to serve as a local coordinating organization (LCO). [C.R.S. 26.5-2.103] (Applications are due June 20, 2022). LCOs must increase access to programs and services, assist families in applying for and enrolling children in early care and learning, recruit early care and education workforce members, etc. [C.R.S. 26.5-2-104]</p>		<p>\$5.3m to support the work of LCOs.</p>	<p>April 25, 2022</p>
<p>SB22-225, Ambulance Service Sustainability & State Licensing</p>	<p>Starting July 1, 2024, if a county chooses to play a local licensing role and authorize an ambulance provider to operate in the county, the BOCC may:</p> <ol style="list-style-type: none"> 1. Limit the number of ambulances operating in a county; 2. Prescribe ambulance service areas within the county; 3. Impose more stringent obligations than those adopted by the state. <p>Starting July 1, 2024 (and before July 1st of any year thereafter) a county may opt-out of playing any role in authorizing ambulance providers to operate in their community. [C.R.S. 25-3.5-314]</p> <p>BOCCs can suspend an ambulance providers’ authorization to operate in their county if they are found to be non-compliant with the statute’s provisions. [C.R.S. 25-3.5-314]</p>			<p>Upon Governor’s Signature</p>

Justice & Public Safety

CCI Staff: Kyley Burress

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
HB22-1041 , Privacy Protections for Protected Persons*		<p>IF a local government code enforcer, a child representative, a health care worker, an officer, or agent of the State Bureau Of Animal Protections, an animal control officer, or a staff member of the Office of Respondent Parents' Counsel requests their personal information be protected, then the county must remove personal information from records that are available on the internet.</p> <p>[C.R.S. 18-9-313]</p>		March 24, 2022

Land Use & Natural Resources

CCI Staff: Daphne Gervais

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
HB22-1104 , Powerline Trails	<p>Transmission providers must notify counties when there is an opportunity to build a powerline trail. Local governments are not required to do so, but if a county enters into a contract to build a powerline trail, they would be required to consider unique rural characteristics.</p> <p>[C.R.S. 33-45-103]</p>			<p>April 13, 2022</p>
HB22-1218 , Resource Efficiency Buildings Electric Vehicles <i><u>VETOED BY GOVERNOR</u></i>	<p>The statute’s requirements apply to existing commercial and multifamily buildings if at least 50% of the building undergoes renovation, but counties that conduct electrical inspections may issue waivers on the renovation threshold that triggers the compliance requirement. The state will issue waivers in counties that defer to the State Electrical Board for electrical inspections .</p> <p>[C.R.S. 12-115-120]</p>	<p>Although the statute’s requirements are imposed upon contractors, master electricians, and architects, counties have enforcement responsibility and must ensure that a building complies with the statute’s requirements before issuing a building permit.</p>		<p>August 10, 2022</p>
HB22-1242 , Regulate Tiny Home Manufacture Sale and Install	<p>Counties may require inspection of a tiny home installed prior to the promulgation of a state standard (by July 2023), and allows counties or the state electrical or plumbing inspector (where there is no such local inspection) to approve the connection of tiny homes to electrical and plumbing services.</p> <p>[C.R.S. 24-32-3329]</p>			<p>August 10, 2022</p>

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
<p>HB22-1362, Building Greenhouse Gas Emissions</p>		<p>Current law (HB19-1260) requires local governments to adopt one of the three latest versions of the International Energy Conservation Code (IECC) when updating or adopting their building codes.</p> <p>On or after July 1, 2023, and before July 1, 2026, HB 1362 require municipalities and counties that update a building code to adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 IECC <u>and</u> the model electric and solar ready code to be developed by the Energy Code Advisory Board.</p> <p>After July 1, 2026, municipalities and counties that update a building code must adopt and enforce an energy code that achieves equivalent or better energy performance than the model low energy and carbon code to be developed by the Energy Code Advisory Board.</p> <p>*Note: These requirements only apply to local governments with building codes. [C.R.S. 30-28-211]</p>	<p>*Note: If a rural county with a population of 30,000 or less does not receive a grant that significantly assists with energy code adoption and enforcement training, the county must only adopt comply with the 2019 requirements.</p> <p><u>\$2m</u> in grants to local governments to support their adoption and enforcement of the codes</p> <p><u>\$1m</u> to provide energy code training and technical assistance to assist local governments in adopting and enforcing codes</p> <p><u>\$10m</u> to the Building Electrification for Public Buildings Grant Program, available to local governments & others, for the installation of high efficiency electric heating equipment.</p> <p><u>\$12m</u> to the High Efficiency Electric Heating and Appliances Grant Program available to local governments & others for the installation of high efficiency electric heating equipment in</p>	<p>Upon Governor's Signature</p>

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
SB22-110 , Equip Wind Turbine Aircraft Detection Lighting System	<p>Although the statute's requirements are imposed upon owners and operators of wind-powered energy generation facilities, a Board of County Commissioners (BOCC) may adopt and enforce an ordinance or resolution impose civil penalties up to \$1,000 per day if the owner or operator fails to comply with the statute's requirements.</p> <p>[C.R.S. 30-11-130]</p>	<p>A facility owner or operator may request an extension of time up to twenty-four months. The BOCC is required to grant the request if the owner or operator can demonstrate that, despite the owner's or operator's exercise of commercially reasonable efforts, the availability of light mitigating technology constrained the ability to comply in the time frame afforded. The BOCC may not impose any penalties during the extension period granted.</p> <p>[C.R.S. 38-30.7-106]</p>	<p>multiple structures within a neighborhood.</p>	<p>August 10, 2022</p>
SB22-114 , Fire Suppression Ponds Water Rights	<p>A county may apply for the designation of a fire suppression pond, but must:</p> <ol style="list-style-type: none"> 1. Consult with local fire district/authority 2. Provide notice to the State Engineer on location and approximate size of ponds that will be evaluated 3. Conduct a local needs assessment within one year that evaluates potential fire suppression ponds 4. Acquire landowner approval if the pond is located on private property 5. Submit the assessment and application to the State Engineer's Office; and 6. Upon submission of the application, provide notice and copy of application to the Substitute Water Supply Plan list, for 140-day comment period 			<p>August 10, 2022</p>

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
<p><i>(continued)</i> SB22-114, Fire Suppression Ponds Water Rights</p>	<p>If the designation is approved, the county must perform annual inspections with the applicable fire protection district or department.</p> <p>Approved applications are active for 15 years, after which the county must complete an updated needs assessment and re-submit to the State Engineer. [C.R.S. 37-82-107 & C.R.S. 37-80-124]</p>			

Tax & Finance
CCI Staff: Gini Pingenot

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
<p>HB22-1117, Use of Lodging Tax Revenue</p>	<p>Upon voter approval, the use of lodging tax revenues (either via a Local Marketing District and/or a County Lodging Tax) may be expanded to support housing, childcare and investments that enhance the visitor experience. IF voters expand the uses, at least 10% of the tax revenue must be used for the purposes that existed prior to January 1, 2022. [C.R.S. 29-25-111 & C.R.S. 30-11-107.5]</p> <p>If voters agree to expanded uses of the county lodging tax, only that portion of the tax that supports marketing and advertising will be administered by the local tourism panel. [C.R.S. 30-11-107.5]</p>			<p>August 10, 2022</p>
<p>SB22-051, Policies To Reduce Emissions From Built Environment</p>	<p>A county may exempt the following from the collection of the county's <u>sales</u> tax base:</p> <ol style="list-style-type: none"> 1. Heat pump systems and heat pump water heaters [C.R.S. 39-26-733] and 2. Energy storage systems [C.R.S. 39-26-733] <p>A county may exempt the following from the collection of the county's <u>sales & use</u> tax base: decarbonizing building materials* [C.R.S. 39-26-731] <i>*the definition of 'decarbonizing building materials will be subject to the Office of the State Architect's determination.</i></p> <p>Exemptions can be adopted via majority vote of the BOCC. Reinstatement of an exemption requires a vote.</p>			<p>August 10, 2022</p>
<p>HB22-1055, Sales Tax Exemption Essential Hygiene Products</p>	<p>A county may exempt the following from the collection of the county's <u>sales</u> tax base:</p> <ol style="list-style-type: none"> 1. incontinence products and diapers [C.R.S. 39-26-717] 2. period products [C.R.S. 39-26-717] <p>Exemptions can be adopted via majority vote of the BOCC. Reinstatement of an exemption requires a vote.</p>			<p>August 10, 2022</p>

Tourism, Resorts & Economic Development

CCI Staff: Daphne Gervais

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
<p>SB22-232, Creation of Colorado Workforce Housing Trust Authority</p>	<p>Local governments must opt-in in order for the Authority to consider projects in their jurisdiction (Section 2).</p> <p>The law requires the Authority to provide notice to local governments where a proposed project is located within 14 days of receiving a project proposal. The county or municipality may object to a project at any time within 90 days of receiving the notice, and must provide the reasons why the proposed project is not feasible. During the 90 day period, the Authority is directed to work in cooperation with overlapping local governments to negotiate the details of a project proposal (tax exemption, payment in lieu of taxes, location, number of units, etc.).</p> <p>The statute directs counties and municipalities in which a proposed project is located to solicit feedback from other local governments in the area to determine the impact of the proposed project.</p> <p>Rental projects completed by the Authority have a 120% area median income (AMI) cap. This cap is 140% in rural resort counties. The statute allows all local governments to request exceptions to the AMI caps.</p> <p align="center">[C.R.S. 29-4-1107]</p>			<p align="center">Upon Governor's Signature</p>

Transportation & Telecommunications

CCI Staff: Eric Bergman

2022 Legislation	Local Option(s)	Local Requirement(s)	Funds Available	Effective Date
HB22-1028 , Statewide Regulation of Controlled Intersections	Counties may place signage at intersections requiring cyclists and other operators of low speed conveyances to come to a full stop. [C.R.S. 42-4-1412.5(2)(d)]			April 13, 2022
HB22-1046 , Local Designation of Over-Snow Use Only on County Roads*	Counties may designate all or a portion of a county road as over-the-snow access only for a continuous seasonal period. The county may further restrict access to human-powered or animal powered means. [C.R.S. 42-4-106(3)(d)]			April 12, 2022