



# 2018 State Legislation: New Authorities and Mandates

The following table is designed to serve as a brief general reference source. Commissioners, Councilmembers and mayors should always seek advice and counsel from the county or city attorney concerning specific implementation requirements.

## General Government

2018 Legislation	Local Option	Local Requirement	Effective Date
HB18-1051 Extinguishing Unattended Campfires		REMOVES the local requirement that counties erect at least twenty signs regarding the danger of leaving campfires unattended. CRS 30-15-201(2)	March 22, 2018
HB18-1096 Special Event Permits – Alcohol Beverages	Counties may apply for a special event permit to sell alcohol beverages. CRS 12-48-102		August 8, 2018
HB18-1128 Protections for Consumer Data Privacy		Counties are required to update their records retention policies to include electronic documents. Counties are required to have reasonable security procedures and practices in place to protect personal identifying information. In the event of a breach where the county determines that personal identifying information was compromised, the county is required to notify the citizens whose information was stolen/accessed within 30 days. CRS 6-1-713(1), CRS 6-1-713.5 and CRS 6-1-716	September 1, 2018
SB18-243 Retail Sale of Alcohol	Counties may allow consumption of full strength alcohol in public places (parks, etc.). CRS 12-47-901(1)(h)(VII)		June 4, 2018
SB18-259 Excise Taxes on Retail Marijuana		Counties that have an excise tax on retail marijuana shall calculate the excise tax based on the Average Market Rate for affiliated transfers and the actual sale amount for unaffiliated transfers. CRS 29-2-114(1)(a)	August 8, 2018

## Health and Human Services

2018 Legislation	Local Option	Local Requirement	Effective Date
HB18-1257 Correction to HB16-1316 Reinsert "Not"	This bill restores counties' ability to transfer dependency and neglect cases to and from counties after adjudication, which allows for treatment plans to be in place where parents/guardians reside. CRS 19-3-201		August 8, 2018
HB18-1319 Services for a Successful Adulthood Former Foster Youth	Counties may serve kids (18-21 years old) who have exited the child welfare system without a permanent placement and who need education, employment, financial management, housing, mental health care and substance abuse services. If a county chooses to provide services for these young adults, they must do so out of their existing child welfare (core services) dollars. CRS 26-5-113		May 18, 2018
HB18-1335 County Child Care Assistance Program Block Grant	Counties may choose to serve families whose 'entry' income is above 185% FPL if a.) they have served all eligible families at or below 185% and b.) use only local funds. CRS 26-2-805 (2)(a)	Subject to available appropriations, counties shall provide child care assistance to families whose 'entry' income is not more than 185% federal poverty level (roughly \$46,000/year for a family of 4). 'Exit' income shall be 85% state median income (roughly \$75,000/year for a family of 4). CRS 26-2-805 (1)  Note: CCCAP is not an entitlement program. Once a county spends its allocation + its maintenance of effort, eligible families go on a wait list.	July 1, 2018

<p>HB18-1346 Abuse of Youth Under 21 in Care of Institution</p>		<p>This law modifies the “Institutional abuse” definition in the Children’s Code to include individuals who are under the age of 21 and under the continuing jurisdiction of the court. This requires counties to investigate the abuse of these individuals in certain facilities. CRS 19-1-103(66)</p>	<p>May 30, 2018</p>
<p>SB18-254 Child Welfare Reforms</p>		<ul style="list-style-type: none"> <li>• NEW 90/10 match (was 80/20) for adoptions and relative guardianship assistance payments (Beginning on July 1, 2018, an additional \$4.1 m will be available to help pay the higher state share). CRS 26-5-104 (1)(a)</li> <li>• For out of home placements, counties must not negotiate below the base anchor rates established by the department. (Beginning on July 1, 2018, an additional \$14.6m will be added to the Child Welfare Block to help address the goal of higher rates for providers). CRS 26-5-104 (6)(a)</li> <li>• Commissioners to elect new Child Welfare Allocation Committee Members CRS 26-5-103.5 (2)</li> </ul> <p>----- Watch for major changes in child welfare due to the Family First Prevention Services Act (passed 2/9/2018) -----</p>	<p>May 18, 2018</p>

## Justice & Public Safety

2018 Legislation	Local Option	Local Requirement	Effective Date
HB18-1394 Update CO Disaster Emergency Act		Local emergency management agencies are required to develop a local or interjurisdictional plan that includes provisions for preparation, prevention, mitigation, response, and recovery from emergencies and disasters. CRS 24-33.5-701	Aug. 8, 2018

## Taxation and Finance

2018 Legislation	Local Option	Local Requirement	Effective Date
SB18-248 Additional Revenues Urban Renewal Projects		Revenue from voter approved mill levy increases and debrucings go entirely to the local government that secured the approval. Local governments must notify – no later than February 1 <sup>st</sup> following the year in which a voter-approved revenue increase has taken effect – the urban renewal authority of the amount that is owed. Repayment negotiations may include: <ul style="list-style-type: none"> <li>• The mechanics of how repayment will be accomplished;</li> <li>• A method for resolving disputes about the amount of repayment;</li> <li>• And/or whether or not the repayment requirement will be waived</li> </ul> CRS 31-25-107 (9)(a)(II)	May 30, 2018

## Transportation & Telecommunications

2018 Legislation	Local Option	Local Requirement	Effective Date
HB18-1103 OHV Safety Regulations	If a county enacts additional safety regulations for operating an OHV on a county road, those regulations are not in conflict with state safety regulations. CRS 33-14.5-110		August 8, 2018
HB18-1191 Local Government Ability to Alter Speed Limits	Counties may consider additional criteria (such as road characteristics, parking practices and pedestrian/bike activity in vicinity) when considering changing a speed limit in a residential area. CRS 42-4-1102(2)		August 8, 2018
SB18-144 Bicycle Operation Approaching Intersection	Counties may adopt ordinances allowing cyclists to slow at a stop sign but continue on without stopping if it is safe to do so. CRS 42-4-1412.5		May 3, 2018
SB18-167 Enforce Requirements on Location of Underground Utilities	Counties may submit ALL county roads scheduled for routine maintenance in one submittal to the 811 Authority for purposes of locating underground facilities. Locates are good for six months. CRS 9-1.5-103(2.7)(4)(a)((IV)(b)		August 8, 2018