



Legislative Report 2020 Special Session | December 3, 2020

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CCI Update
Special Session Wrap-Up:
General Assembly Approves Over \$280 Million in COVID-19 Stimulus Funding

The special session adjourned early Wednesday afternoon, bringing to a finish a three-day legislative sprint that culminated with the approval of a \$280 million bipartisan stimulus package to address numerous impacts of the COVID-19 pandemic. A total of ten bills were ultimately passed by the legislature (out of 35 that were introduced) and Governor Polis is expected to sign the package of bills in the next few days. The package includes aid for impacted businesses, funds to increase broadband access so students can engage in distance learning, resources to help prevent evictions, utilities assistance, funds to help food banks, and funds to enhance child care.

The following bills were ones that CCI was watching and engaging on this past week and are expected to be signed into law by Gov. Polis. If you have specific questions about any of the bills that passed, please feel free to reach out to Gini Pingnot (gpingenot@ccionline.org or 720.255.8941) or any member of the CCI team.



General Government

Chair: Don Suppes, Delta County

Vice Chair: Hilary Cooper, San Miguel County

CCI Staff: Eric Bergman / Daphne Gervais

HB20B-1005, Local Authority to Impose Food Delivery Fee Restrictions

Restaurants pay fees to third-party services such as GrubHub and DoorDash, through which customers can order food and drinks and have them delivered to their homes. This bill allows statutory municipalities and counties to cap the fees charged by third-party delivery services during a declared public health emergency to address COVID-19 pandemic, when indoor dining is restricted to 50% capacity or less. Through the bill, counties may also (1) restrict third-party delivery services from reducing compensation or withholding tips from a delivery driver or restaurants and staff, (2) require a third-party food delivery service to disclose to the consumer any fee charged to the restaurant, and/or (3) restrict a third-party food delivery service's ability to perform a service for or disclose information about a restaurant without its consent.

HB20B-1005 was amended to state that a county *can* be held liable for economic damage claims if it is found to have enacted an ordinance that constitutes a private property takings, and also to explicitly exclude grocery and convenience stores from the terms of the bill.

Position: No Position

Sponsor: Rep. Bird & Sen. Rodriguez

Staff: Daphne Gervais



Health & Human Services

Chair: Wendy Buxton-Andrade, Prowers County

Vice Chair: Sue Hansen, Montrose County

CCI Staff: Gini Pingentot / Kyley Burress

HB20B-1002 Emergency Relief Programs for the Child Care Sector

HB20B-1002 invests \$45 million of state general fund into two new grant programs. The first grant program will provide \$35 million in sustainability funding to all existing, licensed child care providers and neighborhood youth organizations. The actual amount that each provider will receive will depend, in part, on the number of kids the facility is licensed to serve. Roughly 2,600 child care providers are expected to receive the funding.

The second grant program will consist of roughly \$10 million and will support existing child care providers who wish to expand their capacity to serve their community or help new child care centers start up. These funds can help pay capital and operating costs and hire and pay staff and part-time help.

As a whole, this stimulus bill is intended to address the 52,000 child care slots that have been lost due to the COVID-19 pandemic. Ten percent of child care providers have closed during the pandemic and others have greatly reduced their capacity to adhere to public health requirements. In the absence of funding supports, the state risks a rocky economic recovery if families do not have quality child care when they return to work.

Position: No position

Sponsors: Reps. Kipp & Landgraf and Sens. Pettersen & Sonnenberg

Staff: Gini Pingentot

HB20B-1003 Food Pantry Assistance Grant Program

HB20B-1003 provides \$3 million for food pantries and food banks to purchase food for Coloradans in need. This bill expands on the work of HB20-1422 which granted these entities \$500,000 of CARES ACT funding. That funding ultimately went to 130 vendors in 62 counties.

Under HB20B-1003, food purchased by a grant recipient must - to the extent possible - be designated as a Colorado agricultural product. This requirement is intended to help support rural economies. The bill also specifies that food pantries and food banks that receive funding can use a portion of their funding to cover transportation, food delivery, staff expansion, refrigeration, and storage costs.

Position: No position

Sponsors: Reps. Cutter & Bockenfeld and Sens. Story & Hisey

Staff: Gini Pingentot



Health & Human Services (cont.)

SB 20B-003 Money for Energy Utility Bill Payment Assistance

This bill will help individuals who are unable to pay their energy utility bills because of the COVID-19 pandemic. The bill transfers \$5 million from the State General Fund to the Energy Outreach Colorado Low-income Energy Assistance Fund, which is administered by the Colorado Energy Office (CEO). The transfer to CEO is to take place immediately upon the governor's signature. CEO is required to distribute the money to the non-profit organization within three days of receiving the money.

Position: No position

Sponsors: Sens. Fields & Crowder and Reps. Duran & Landgraf

Staff: Kyley Burress



Land Use & Natural Resources

Chair: Tim Payne, Fremont County

Vice Chair: John Messner, Gunnison County

CCI Staff: Daphne Gervais

SB20B-002, Housing & Direct COVID-19 Emergency Assistance

SB20B-002 transfers a total of \$60 million from the General Fund to cash funds supporting housing assistance programs. The bill creates and appropriates \$5 million General Fund (GF) to the Emergency Direct Assistance Grant Program in the Department of Local Affairs (DOLA). This program will be administered by the Division of Housing, and will provide grants to individuals who experience financial need due to the COVID-19 pandemic and who may not be eligible for other types of assistance (such as unemployment insurance, food assistance, and/or federal stimulus payments). The bill orders the Division of Housing to work with local nonprofit organizations to award grants.

As amended in the Senate Finance Committee, the bill transfers \$54 million GF to the Housing Development Grant (HDG) fund to be flexibly distributed based off of demand among existing housing assistance programs, including the [Property Owner Preservation \(POP\)](#) program, the [Emergency Housing Assistance Program \(EHAP\)](#), the [Left Behind Workers Fund](#), the [Office of Homeless Youth Services \(OHYS\)](#), and the [Housing Counseling Assistance Program \(HCAP\)](#).

Finally, \$1 million is transferred to the Eviction Legal Defense (ELD) fund to provide legal representation to indigent tenants facing eviction as a result of the pandemic.

The bill was amended to activate the use of the total unemployment rate (TUR) that will allow Colorado to continue to receive a 100% federal match on state unemployment benefits through the end of the year.

Position: No Position

Sponsor: Sens. Gonzales & Holbert and Reps. Exum & Tipper

Staff: Daphne Gervais



Taxation & Finance

Chair: Richard Elsner, Park County
Vice Chair: Byron Pelton, Logan County
CCI Staff: Gini Pingenot / Eric Bergman

SB20B-001 Relief for Small & Minority Owned Businesses and Arts Organizations

SB 1 creates the Small Business Relief Program within the Department of Local Affairs (DOLA) and makes \$37 million available to certain restaurants, bars, gyms and movie theatres that are operating under severe capacity restrictions due to a local or state public health order and have suffered at least a 20% reduction in profits during the pandemic. Counties, councils of governments (COGs) and economic development districts may apply to DOLA for the funds (which will be allocated on a per capita basis for those counties enforcing severe capacity restrictions by December 10). Counties may use up to five percent of the funds received to cover the administrative costs of creating a local relief program to accept applications from eligible businesses and award the relief funds. Counties may partner with non-profits and other local governments to implement their local relief program. If a county elects to take on this relief program, it will need to move quickly to stand up the program, notify the business community, accept grant applications, and then make an application to DOLA by January 8. Funds must be expended by Feb 12.

The relief payments to restaurants, bars, gyms, and movie theatres will be done on a tiered system, based on that business' receipts in 2019. Based on their receipts, businesses will be eligible for payments between \$3,500 and \$7,000. The bill was amended in the House to allow new businesses that started before March of 2020 to be eligible as well.

CCI requested that 10% of the grant funding (\$3.7 million) be held in reserve for counties under 100,000 in population that may be disproportionately impacted by the pandemic. The intent was to create a reserve fund similar to the Coronavirus Relief Fund (CVRF) to ensure that smaller counties could receive additional aid to ensure that their business needs were addressed. These smaller counties may apply to DOLA demonstrating higher needs and may be awarded additional funding.

The bill also makes \$4 million available to minority-owned businesses through a program in the Office of Economic Development and International Trade (OEDIT) and \$7.5 million available to eligible arts, culture, and entertainment organizations through the Creative Industries Division in OEDIT. Finally, the legislation waives a host of state licensing fees to provide additional relief for various businesses.

Position: No Position

Sponsors: Sens. Winter & Priola and Reps. Herod & Sandridge

Staff: Eric Bergman

NOTE: CCI is in the process of scheduling a Zoom Webinar with DOLA to brief county commissioners and staff on the new Small Business Relief Program within DOLA and how counties may participate and receive funding for the small businesses in their communities.



Transportation & Telecommunications

Chair: Norm Steen, Teller County

Vice Chair: Steve O'Dorisio, Adams County

CCI Staff: Eric Bergman

HB20B-1001 Grants to Improve Internet Access in P-12 Education

The COVID-19 pandemic has forced many schools to move to online learning this year and this has put many students who lack high-speed Internet access to the home at a serious learning disadvantage. HB 1001 creates the Connecting Colorado Students Grant Program within the Colorado Department of Education to attempt to address this lack of broadband access across the state. The program will provide \$20 million in grant funds to school districts throughout Colorado to enhance broadband access for students and teachers through wireless fidelity (Wi-Fi) antennas, mobile hotspots, satellite connections and other technologies. The funds in the program must be expended by February of next year. The Governor has announced that he will seek to deploy additional broadband funds in the 2021 session.

Position: No Position

Sponsors: Reps. Young & Soper and Sens. Donovan & Coram

Staff: Eric Bergman