



Legislative Report for 2020 Special Session December 1, 2020

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General Government

[HB20B-1005](#), Local Authority to Impose Food Delivery Fee Restrictions

The bill allows a county or a statutory municipality to, through adopting, administering, and enforcing ordinances/resolutions, (1) limit the fees charged to restaurants by third-party food delivery services (such as GrubHub, UberEats, DoorDash), (2) restrict third-party delivery services from reducing compensation or withholding tips from a delivery driver or restaurants and staff, and/or (3) require a third-party food delivery service to disclose to the consumer any fee charged to the restaurant.

HB20B-1005 was assigned to the House Finance Committee, where it was amended to (1) remove the ability of local governments to impose civil penalties for violations of an applicable ordinance/resolution, (2) 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, (3) only allow enforcement of an applicable ordinance/resolution when there is a public health emergency and indoor dining capacity is limited to 50% or less, and (4) explicitly exclude grocery and convenience stores from the terms of the bill.

The bill passed the committee hearing, as amended, 6-2, and passed second reading on the House Floor. It is scheduled for third reading and final passage in the House today, Dec. 1st.

Position: No Position

Sponsor: Rep. Bird & Sen. Rodriguez

Lobbyist: Daphne Gervais

Health & Human Services

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 COVID. 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.

The bill unanimously passed the committee hearing and second reading on the House Floor. It is scheduled for third reading and final passage in the House today, Dec. 1st.

Position: No position

Sponsors: Rep. Kipp & Landgraf, Sen. Pettersen & Sonnenberg

Lobbyist: Gini Pingent

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: Rep. Cutter & Bockenfeld, Sen. Story & Hisey

Lobbyist: Gini Pingent

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 COVID. The bill transfers \$5.0 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.

The bill passed the Senate Finance Committee and second reading on the Senate floor on 11/30.

Position: No position

Sponsors: Sen. Fields, Sen. Crowder, Rep. Duran, Rep. Landgraf

Lobbyist: Kyley Burress

Land Use & Natural Resources

SB20B-002, Housing & Direct COVID Emergency Assistance

The bill creates and appropriates \$5.0 million General Fund (GF) to the Emergency Direct Assistance Grant Program in the Department of Local Affairs (DOLA). The 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 transferred \$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 GF 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 unanimously passed the committee hearing and also passed second reading in the Senate yesterday, Nov. 30.

Position: No Position

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

Lobbyist: Daphne Gervais

Tax & Finance

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 corporations 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 to cover the administrative costs of creating a local program to accept applications from eligible businesses and awarding the relief funds.

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. SB 1 will be heard on third reading in the Senate this morning and should be heard in a House committee sometime later today.

Position: No Position

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

Lobbyist: Eric Bergman

Transportation & Telecommunications

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

The COVID pandemic has forced many schools to move to online learning this year and this has put many students who lack high-speed Internet access in their homes at a serious learning disadvantage. HB 1001 creates the Connecting Colorado Students Grant Program within the Colorado Department of Education 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 through wireless fidelity (Wi-Fi) antennas, mobile hotspots, satellite connections and other technologies. The funds in the program must be expended by February of 2021. The bill will be heard on third reading in the House this morning and should be heard in a Senate committee this afternoon.

Position: No Position

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

Lobbyist: Eric Bergman