

LEGISLATIVE REVIEW 2020



colorado association of
REALTORS[®]



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Message from BARBARA ASBURY

2020 CAR Legislative Policy Committee Chair



Unpredictable. When I reflect on all that has occurred in 2020 thus far, unpredictable is a word that comes to mind. On top of an intensely active legislative session, we are facing a global pandemic that decimated the state budget coffers, and a renewed rise in activism for racial equality and ending police brutality. Our post-Covid-19 society is also seeing historic rises in unemployment rates and a volatile stock market.

Guided by the lessons learned from the Spanish flu of 1918, Colorado residents were ordered to stay home for several months to stop the spread of Covid-19. Stay-at-home orders and social distancing requirements paused the work of the legislature for several weeks, postponing the usual early May adjournment date to mid-June. To keep Colorado's economy afloat and provide relief to those hit hardest, policymakers worked long hours to quickly address several new priorities. In the waning days of the legislative session, Coloradans facing housing hardship found access to relief through \$19 million in federal CARES Act dollars in HB-1410, which balances the financial assistance needs of renters and homeowners through the Department of Local Affairs. Another bill, SB-222, creates a small business grant program funded by \$20 million in federal funds to get aid to so many businesses who are struggling to reopen their doors.

Every year, the Colorado Association of REALTORS® (CAR) embraces new opportunities and new challenges as we protect property rights at the Capitol. After years of hard work and negotiations with industry stakeholders, CAR celebrated a significant win by passing the permanent authorization of remote notarization (SB-96) in Colorado. Covid-19 has amplified the need to operate remotely. Remote business operation allows the real estate industry to notarize documents virtually and thereby increases access to homeownership, all while guaranteeing that consumers' sensitive and personal information remains protected. When a proposal to increase taxes on Colorado's small businesses emerged (HB-1420), over 4,200 Colorado REALTORS® took action to contact state legislators and Governor Polis to explain the devastating impacts additional taxes would have on small businesses who are doing all they can to re-open safely and recover financially from Covid-19 closures.

Thanks to CAR's strong relationships and our robust advocacy strategies, Colorado REALTORS® have a seat at the table. We are proud to be a resource for Colorado's policymakers. The 41 members of the Legislative Policy Committee (LPC) take proactive stances on issues important to us as we continue to be the voice for real estate in Colorado.

Thank you to these dedicated and hardworking LPC members in one of the most unpredictable legislative sessions we've ever seen. To all our members who answered the calls to action to communicate the importance of these issues and their impacts on our industry to state legislators, we praise your passionate involvement and eagerness to make a difference.

CAR is always up for the challenge, and impactful public policy solutions for the 2021 legislative session will be the next path ahead. We continue to build relationships with policymakers and community partners, work to strengthen communities, and protect our industry. We promote initiatives that lift up small businesses that enable economic vitality and support innovative solutions to address our diverse housing needs for all Coloradans. Why? Because That's Who We R.

A handwritten signature in cursive script that reads "Barbara Asbury".

Barbara Asbury
Chair, 2020 Legislative Policy Committee



Colorado REALTORS® Advocate at the Frontlines

CAR's strategic deliberation enabled the passage of long-sought legislation and allowed for substantial amendments in other legislation to protect our industry and the business operations of CAR members

Here's a glance at the 2020 legislative session:

COVID-19

Relief Efforts:

HB-1410: COVID-19-related Housing Assistance
Rep. Serena Gonzales-Gutierrez, Rep. Tony Exum, Sen. Julie Gonzales, and Sen. Rachel Zenzinger
Position: SUPPORT
Status: Signed by Governor Polis

HB-1410 allocates \$19 million federal CARES Act dollars through the Department of Local Affairs to keep people in their homes whether they rent or own a mortgage. CAR testified that this financial assistance would help some of the most vulnerable Coloradans who are at risk of losing their home or apartment due to job losses or reduced income because of Covid-19. The bill also helps housing providers so that we can preserve and increase the amount of available affordable housing. The threshold of 100% AMI in the legislation means that it will reach into the middle class, essential civil servants that have been out on the frontlines for us during the pandemic. Moreover, as the federal government continues to address the significant problem of mortgage servicers having enough cash reserves to cover the mortgage forbearances allowed under the CARES Act, this legislation helps Coloradans make their

mortgage payments in a time of uncertainty which also helps us avoid a foreclosure crisis.

CAR worked diligently and furiously with stakeholders to take an unwieldy and unclear 28 page proposed bill, that could have been a problematic amendment to HB-1410, to a straightforward proposal that might have allowed for repayment options for property managers and landlords. While that potentially problematic proposal or amendment did not come forward, CAR continues to work with the Governor's office and stakeholders to ensure that the approach to housing assistance is balanced for both renters and property owners so that both are able to pay their rent or their mortgage throughout our pandemic recovery.

HB-1413: Small Business Recovery Loan Program Premium Tax Credits
Rep. Shannon Bird, Rep. Lisa Cutter, Sen. Rachel Zenzinger, and Sen. Kerry Donovan
Position: SUPPORT
Status: Signed by Governor Polis

HB-1413 authorizes the State Treasurer to create a small business loan program and oversight board to assist the state's recovery from the Covid-19 pandemic by leveraging private investment for loans to Colorado small businesses. The state's portion will be funded through the sale of insurance tax credits. To be eligible, a business must have five to 100 employees and be able to show two

consecutive years of positive cash flow. The oversight board may establish other requirements. Loan size will be between \$30,000 and \$500,000, and investments will be made in \$10 million tranches, 90% of which must be invested in small business loans before more money can be dispersed.

Uncertainty knocked on the doors of every Colorado business amid the rise in Covid-19 cases. The Small Business Administration (SBA) developed various loan products that could be forgiven at up to 100%, thinly spreading federal dollars across the nation. Within the first 24 hours of the first round of applications, most of the funding was exhausted. Because many of Colorado's smallest businesses were not able to obtain financial assistance through these programs, it is vital that Colorado play a role in filling these gaps so that the state's economy can recover, businesses can re-open, and our workforce can get back to work safely.

SB-222: Use CARES Act Money Small Business Grant Program

Sen. Faith Winter, Sen. Jeff Bridges, Rep. Mary Young, and Rep. Perry Will

Position: SUPPORT

Status: Signed by Governor Polis

SB-222 creates a small business Covid-19 grant program funded by \$20 million in federal funds to provide relief to small businesses with fewer than 25 employees and that have been impacted by economic hardship caused by the Covid-19 pandemic.

Many Colorado businesses were forced to close their doors and others struggled to identify ways to keep business operations afloat through delivery and online services while Colorado was ordered to stay-at-home. Although the federal government provided financial support through SBA loan programs, many small businesses could not access assistance before the funds ran out, making it even more difficult to keep staff on payroll and continue to pay their commercial leases. SB-222 provides another opportunity to obtain financial support as preference is given for small businesses that did not qualify for or receive a Paycheck Protection Program loan, are majority owned by veterans, women, or minorities, or are located in a rural area.

HB-1421: Delinquent Interest Payments Property Tax

Rep. Dylan Roberts, Rep. Lori Saine, Sen. Kerry Donovan, and Sen. Jerry Sonnenberg

Position: SUPPORT

Status: Signed by Governor Polis

HB-1421 allows a local jurisdiction that collected 90% or less of total property taxes owed between January 1, 2020 and June 1, 2020, than collected in the previous tax year cycle, the authority to offer a temporary reduction, waiver, or suspension of interest on property tax payments to property owners.

The economic downturn caused by Covid-19 has changed the way Colorado does business. Many Coloradans witnessed major impacts to business operations, experienced job loss or are undergoing unpaid furloughs reducing the typical business revenue and take-home pay. This temporary pause, waiver, or reduction in tax payments can help keep Coloradans in their homes and business owners in their place of business. It also helps owners better manage available cash flow as we work toward reigniting our economy to build a prosperous future for Colorado. The legislation is a product of many stakeholders – including CAR – communicating with the Governor's office about the stress our residential and commercial property taxpayers are facing in meeting property tax burdens when their tenants are not able to make rental payments due to Covid-19 hardships.

SB-207: Unemployment Insurance

Sen. Chris Hansen, Sen. Faith Winter, Rep. Matt Gray, and Rep. Tom Sullivan

Position: AMEND

Status: Signed by Governor Polis

SB-207 amends the Colorado Employment Security Act in several ways to codify some current practices, address changes needed to allow for public health emergency operations, and increase the amount of benefits paid to unemployed individuals from the Unemployment Trust funds. Unemployment Insurance (UI) premiums are paid by Colorado employers into the UI trust fund that are then paid out to unemployed individuals by the Colorado Department of Labor and Employment (CDLE). It is possible that business costs and premiums will rise in the near future to maintain the fund solvency for pandemic UI needs. And although the state legislature is doing all they can to sweep any federal CARES Act dollars that are not completely spent by their December deadline into the UI trust fund, it is critical that we look at how we operate unemployment assistance, so the Office of Future of Work in the CDLE is required to study unemployment assistance and modernizing worker benefits and protections and report back to the Governor and General Assembly in 2021.

CAR expressed serious concerns with SB-207 as introduced because of a definition. The legislation would have conflicted with federal laws that specifically exempts real estate agents based on the way their businesses are structured in federal tax codes due to their status as independent contractors. CAR worked with the bill sponsors to amend the bill to ensure that the definition of employer and employee in current law did not change. This amendment kept the status quo of current employment law and thereby removed over 44,000 real estate licensees from facing regulatory obstacles that would place Colorado real estate agents in opposition to federal law.



Bills Impacted:

HB-1351: Local Government Authority Promote Affordable Housing Units

Rep. Susan Lontine, Rep. Serena Gonzales-Gutierrez, Sen. Julie Gonzales, and Sen. Robert Rodriguez

Position: OPPOSE

Status: Postponed Indefinitely by House Transportation and Local Government Committee on 5/27 due to Covid-19

HB-1351 would have altered the Town of Telluride court case with legislation to allow inclusionary zoning practices that could open the door to rent control policies. Inclusionary zoning has very mixed results across the country in actually increasing the availability of new affordable housing units across the country. While this bill did not get to have a hearing because it was postponed indefinitely as a result of the abbreviated legislative session due to Covid-19, CAR had concerns that as drafted it would actually deter affordable housing investments rather than increase their likelihood. We know that the more regulatory barriers that are placed on construction of new housing the more expensive it is for builders to bring affordable housing to market. So we will continue having the conversation with stakeholders to find ways to reduce some of these regulatory barriers with legislation that could be much more strategic in approaching smart affordable housing growth across the state. Colorado's supply of affordable housing does not even come close to meeting the demands of Coloradans and it is a critical issue for employers as well as employees.

SB-184: Add to Public School Financial Literacy Standards

Sen. Jeff Bridges, Sen. Paul Lundeen, Rep. Cathy Kipp, and Rep. Perry Buck

Position: SUPPORT

Status: Postponed Indefinitely by House Education Committee on 5/26 due to Covid-19

SB-184 would have required the State Board of Education to include financial literacy in ninth through twelfth grade curriculum, including methods for saving for retirement, managing credit card debt, and costs associated with acquiring a postsecondary degree

or credential.

Additionally, the bill specified that curriculum related to paying for postsecondary education must include understanding and assessing the costs to attend in-state and out-of-state, student loans and other ways to pay for higher education, potential career wages, and available programs to manage student loan debt. CAR was working on an amendment that the bill sponsors agreed to offer that would expand the bill to add financial literacy including education on how to obtain a mortgage to that same high school curriculum. CAR will work to find opportunities to consider this in the 2021 Legislative Session.

SB-138: Consumer Protection Construction Defect Time Period

Sen. Rodriguez

SB-93: Consumer and Employee Dispute Resolution Fairness

Sen. Mike Foote, Sen. Stephen Fenberg, Rep. Dominique Jackson, and Rep. Mike Weissman

Position: OPPOSE both

Status: Both died on the calendar due to Covid-19

SB-138 would have extended the number of years that construction litigation lawsuits could be filed from six years to 10 years and altered the tolling process that determines the amount of time that a lawsuit can be extended. The provisions in the current statute that would have been changed by SB-138 were robustly negotiated over multiple years of legislation that culminated in the broadly supported and hard-fought bipartisan construction litigation reform bill of 2017.

SB-93 would have changed the way that arbitrations are conducted in Colorado by establishing ethical standards for arbitrators, disclosure, and protection of information requirements, and clarifying when damages are awarded. However, as originally drafted, these standards in the bill would have preempted CAR from conducting the affordable member arbitrations that CAR and many local boards conduct due to the regulations from NAR about confidentiality and disclosures.

CAR strongly opposed SB-138 because it would roll back the bipartisan construction litigation reforms of 2017 and directly affect the availability of affordable housing for Coloradans. If the compromise legislation was altered in this fashion it would increase volatility in the insurance market and derail the return of affordable starter home products like condos and townhomes that many first-time buyers are desperately searching for in this tight housing market. CAR opposed SB-93 not only because it could alter some of the same construction litigation bi-partisan legislation of 2017, but we were also opposed to the bill until we could accomplish a few amendments to allow for those small affordable trade association arbitrations with bill sponsors. Both SB-93 and SB-138 died on the calendar due to Covid-19, but we anticipate seeing the topics return in 2021.

LPC Subcommittees



Business & Taxation:

HB-1057: Modify Wildfire Risk Mitigation Grant Program

Rep. Terri Carver, Rep. Julie McCluskie, Sen. Don Coram, and Sen. Stephen Fenberg

Position: SUPPORT

Status: Signed by Governor Polis

HB-1057 reduces a grant applicant's required initial share in a project from 50% to 25% to prevent income from being a barrier to accessing wildfire safety. Additionally, the bill expands the list of eligible recipients to include fire protection districts and nonprofit organizations engaged in firefighting activities and extends the grant program through 2029.

For several years, CAR has promoted mitigation of homeowner property to protect structures from wildfires through Colorado Project Wildfire. We are pleased to support legislation that enhances the ability for all Coloradans to access wildfire mitigation, no matter their ability to pay for this critical safety improvement to their property. HB-1057 also enhances the Forest Restoration and Wildfire Mitigation Grant Program to allow projects to receive up to 75% of costs incurred through the grant program if the project is in an economically distressed area.

HB-1420: Adjust Tax Expenditures for State Education Fund

Rep. Emily Sirota, Rep. Matt Gray, Sen. Dominick Moreno, and Sen. Chris Hansen

Position: OPPOSE

Status: Signed by Governor Polis

HB-1420 was a very late bill introduced in the last three weeks of legislative session without any stakeholder conversations with the business groups that would be directly impacted by the changes until the eve of the first bill hearing. The bill would have severely limited corporations' net operating loss deductions and de-couple the federal tax deduction for qualified business income from the state, thereby increasing taxes on small businesses from 2021 to

2023 (as amended). Those businesses would have no longer been allowed to take advantage of the benefits of the federal 2017 Tax Cuts and Jobs Act. As originally drafted, HB-1420 increased taxes on any Coloradans who have an LLC, S-Corp, or Sole Proprietorship as their business model for the next six years. Over 90% of REALTORS® are organized in one of these business structures across the country.

With such a damaging bill for so many small businesses trying to recover after Covid-19, CAR sprang into action overnight to make sure the Legislature heard our voices. Thanks to over 2,400 Colorado REALTORS® who answered the call to action and contacted their state legislators and Governor Polis about the devastating impacts this bill would have on Colorado's smallest businesses. Those voices, along with several in the business community, helped CAR obtain a significant amendment to the bill to change the threshold for qualified business income from \$75,000 to \$500,000 for single filers and \$1 million for joint filers. With this amendment, we protected the small businesses who had to close during shelter-in-place from harm and secured a brighter economic recovery for Colorado post-Covid-19. With this new threshold, the bill is more adequately aimed at the intended target of those that are wealthy, rather than small businesses which comprise more than 48% of the Colorado economy and millions of employees hard hit by Covid-19 furloughs.



Housing:

SB-109: Short-term Rentals Property Tax

Sen. Bob Gardner

Position: OPPOSE

Status: Postponed Indefinitely by the Senate Finance Committee on 2/11

SB-109 would have changed the property tax classification from a residential to commercial property tax rate when a building, or portion of a building, is used for short-term stays during the property tax year.

This statewide policy change would have quadrupled property taxes on homeowners throughout the state causing several unintended consequences. The bill would have harmed mountain communities that rely on revenue from tourism, homeowners that rent out their house because they move for a

military transfer, or rent a spare room in their home as income to pay their mortgage as a few examples of the bill's far reaching impacts. Local jurisdictions should be able to make decisions that are right for their own community needs rather than a statewide one-size-fits-all approach to increase property taxes that would cripple local economies for decades to come. CAR will continue to actively participate in the discussions around short-term rentals with policymakers so that we do not pursue policy that is harmful to real estate or homeowners.

HB-1093: County Authority License and Regulate Business

Rep. Julie McCluskie, Rep. Jim Wilson, Sen. Kerry Donovan, and Sen. Bob Rankin

Position: AMEND

Status: Signed by Governor Polis

HB-1093 permits counties to license and regulate short-term rentals by extending the same authority that cities already have. CAR worked diligently to narrow the originally broad bill that regulated all business licensing, to restrict regulatory authority to short-term rentals only. CAR and other stakeholders clarified that the board of county commissioners or assessors are not able to change the property tax classification from residential to commercial rates. Without this clarity, that might mean a difference of property tax of 7% or 29%.

With these critical amendments, counties have the authority to regulate fees and licensing terms for short term rentals only. As an example, this could mean Summit County could reasonably regulate normal rules such as how a short-term rental disposes of trash to prevent bear activity or snow removal requirements rather than reclassifying the property tax rate that could harm property owners ability to recognize their property rights.

HB-1155: Higher Efficiency New Construction Residence

Rep. Alex Valdez, Rep. Mike Weissman, Sen. Chris Hansen, and Sen. Kevin Priola

Position: AMEND

Status: Signed by Governor Polis

Requires builders to offer new construction homebuyers the options of adding solar panel system or a solar thermal system and prewire or pre-plumb the home for these systems in the future. CAR championed an amendment that requires the Department of Energy to educate consumers on the lease and purchase options for solar installations. Many consumers are unaware of how solar installations can complicate a real estate transaction if the debt to income ratio is higher for a solar panel than the mortgage for the house to purchase. Increased transparency about installing solar and the differences in financing between a purchase and a lease will give more Coloradans the opportunity to select energy efficiency if that is

their choice, and real estate transactions will be more informed.

CAR worked for more than seven years to educate policymakers on this issue, and after several conversations with industry stakeholders – and compelling member testimony – we are pleased to announce this amendment remained in the current legislation headed to the Governor. It is a great step forward in consumer education and more transparent real estate transactions.

HB-1332: Prohibit Housing Discrimination Source of Income

Rep. Leslie Herod, Rep. Dominique Jackson, and Sen. Rhonda Fields

Position: AMEND

Status: Signed by Governor Polis

HB-1332 amends Colorado's Fair Housing laws to include discrimination based on source of income as a type of unfair housing practice. "Source of income" is defined to include any source of money paid directly, indirectly, or on behalf of a person, including income from any lawful profession or from any government or private assistance, grant, or loan program.

While this legislation does provide access to housing if a consumer uses public assistance vouchers, the mandates on housing providers could be difficult challenges for the courts to interpret based on the legislative history. However, since this bill had the votes to pass the legislature, CAR diligently worked to amend the legislation several times to mitigate the most harmful portions of the bill for our housing providers.

First, before introduction, we clarified that the bill would apply to leasing situations rather than for-sale homeownership. Second, we amended the bill to ensure that landlords and property managers would not be liable in litigation if there are HUD processing delays or federal government shutdowns. Third, we amended the bill to clarify that a housing provider that is processing a credit check is not violating the Fair Housing laws of Colorado. Finally, as consistent with existing landlord tenant laws passed in 2019, we amended the bill to exempt single family homes of five units from the regulations of this bill which will enable mom and pop housing providers to continue to be an important source of affordable housing for Coloradans.

SB-108 / SB-224: Landlord Prohibitions Tenant Citizenship Status

Sen. Julie Gonzales and Rep. Serena Gonzales-Gutierrez

Position: AMEND

Status: SB-224 Signed by Governor Polis

The original bill, SB-108 was postponed indefinitely with the intent to be included in a larger Covid-19 relief bill but it was ultimately separated out as a standalone bill (SB-224). SB-224 prohibits a landlord from using or disclosing information regarding a tenant's citizenship or immigration status and allows a tenant to bring civil action against a landlord for engaging in such activity.

While this bill may not be perfect, CAR successfully obtained an important amendment that would allow landlords and property managers to use social security and tax identification numbers to run credit checks on potential tenants without violating the legislative requirements if landlords treat all tenants the same in their processes.

SCR-001: Repeal Property Tax Assessment Rates

Sen. Jack Tate, Sen. Chris Hansen, Rep. Daneya Esgar, and Rep. Matt Soper

Position: MONITOR

Status: Referred to November General Election ballot for Colorado voters to consider

SCR-001 refers a question to the November general election ballot that would de-couple the Gallagher Amendment of 1982 from the state constitution. Gallagher requires the proportion of taxable value for residential and nonresidential property remain constant between each assessment cycle.

The current commercial property tax rates are highly expensive for business sectors that help drive the Colorado economy and these revenues also contribute significant support to local governments, school districts, and special districts that provide essential services such as fire protection to Coloradans. Therefore, if property tax assessments decline, it would place pressure on the state budget to backfill these important needs. While CAR appreciates the intent to remedy some of the challenges that the Gallagher Amendment has presented over the years, we expressed concern along with some members of the Colorado Real Estate Alliance in a letter to the General Assembly, that this approach may have unintended consequences to our economy.

SB-223: Assessment Rate Moratorium and Conforming Changes

Sen. Chris Hansen, Sen. Jack Tate, Rep. Daneya Esgar, and Rep. Matt Soper

Position: AMEND

Status: Signed by Governor Polis

If Colorado voters approve a repeal of the Gallagher Amendment as put forth by SCR-001, beginning with the January 1, 2020 property tax year, SB-223 would place a moratorium on changing the ratio of valuation for assessment for any class of property until the next year that the legislature considers the property tax assessment rates.

Because the Gallagher Amendment required the residential and commercial property rate to maintain a ratio as outlined in the constitution, the commercial property assessment rate stands currently at 29% and the residential assessment had to ratchet down accordingly to ensure that homeowners are paying the ratio accordingly. When property values of homes increase, the property tax assessment rates can decline. And the formula in Gallagher over time has dropped the residential property assessment rate from 21% to 7.15% to where it stands today. The residential rate is expected to decline further to 5.88% due to Covid-19 implications unless the legislature acts.



Regulatory:

HB-1200: Sunset Homeowners' Association Information and Resource Center

Rep. Brianna Titone, Rep. Mike Weissman, and Sen. Tammy Story

Position: MONITOR

Status: Signed by Governor Polis

HB-1200 was one of the Sunset bills for 2020. The bill will continue the HOA Information and Resource Center for five additional years, until 2025. The introduced version of the bill would have required an administrative dispute resolution process which would have cost consumers millions of dollars to implement and operate. CAR worked with the bill sponsors and stakeholders to amend the bill and remove the ADR

requirement, thereby saving consumers millions of dollars in HOA dispute resolution. CAR anticipates that we will likely see further work in the HOA policy arena in 2021, but we are pleased to see consumers have continued access to the HOA Information and Resource Center.

HB-1214: Sunset Home Warranty Service Contracts

Rep. Marc Snyder, Rep. Dave Williams, and Sen. Jack Tate

Position: SUPPORT

Status: Signed by Governor Polis

Home warranty service contracts may be purchased on new or existing homes and generally cover repair or replacement of major systems and appliances. Before the start of the legislative session, the Department of Regulatory Affairs (DORA) recommended in their Sunset Report that the laws regulating home warranty service contracts should continue for six years, until September 1, 2026. DORA also clarified that home warranty service contracts are not equivalent to insurance. HB-1214 is the legislation that enacts DORA's recommendations.

This legislation requires home service warranty contract companies comply with legal obligations and prohibits harmful sales practices. Both provisions will increase protections for consumers in a real estate transaction. And as CAR provided feedback during the sunset process, we know that the program is highly effective in achieving its stated objectives to help provide consumers a valuable way to cover any large costs associated with a new home purchase during the warranty period.

SB-96: Remote Notaries Protect Privacy

Sen. Robert Rodriguez, Sen. Chris Holbert, Rep. Monica Duran, and Rep. Terri Carver

Position: SUPPORT

Status: Signed by Governor Polis

Consumer protection and data privacy is a top priority for REALTORS® across the country. As NAR continues to advocate for consumer protection in notarization on the federal level, CAR worked with state legislators from both sides of the aisle and industry stakeholders to find a meaningful compromise to enable operation of remote notarization technology while also protecting consumers' sensitive personal information. SB-96 allows a notary public to perform a remote notarization using a real-time audio-video communication that conforms to standards that will be established through rules promulgated by the Secretary of State including consumer data security.

In today's digital economy, data privacy is very important for consumers, and REALTORS® uphold an ethical standard to respect the clients they represent and protect the sensitive and personal information that is exchanged in a real estate

transaction. Consumers can now have the confidence that their data is not being shared with third-party marketing affiliates outside the immediate business transaction. Given the urgent need for this type of remote notary transactions in a heightened Covid-19 environment, CAR is happy to celebrate the passing of this legislation we've been working towards for more than four years. This is one of the top legislative priority accomplishments this year.



Land Use:

SB-128: Generation and Transmission Cooperative Easement Broadband

Sen. Don Coram, Rep. Jeni Arndt, and Rep. Marc Catlin

Position: OPPOSE

Status: Postponed Indefinitely by Senate Local Government Committee on 2/18

In 2019, SB-107 authorized a cooperative electric association with an electric utility easement on real property to install broadband with required notice to the landowner. SB20-128 would have expanded this authority to an electric generation and transmission cooperative association and allow for the installation of new underground broadband facilities.

REALTORS® strongly believe in protecting property owners' rights to own, use, and transfer real estate because a strong economy is dependent upon preserving the investment and improvements people make in their properties. CAR continues to support the expansion of broadband access to all areas of Colorado, however, SB20-128 as drafted actually reversed several of the provisions of the 2019 law because it did not provide the same private property right protections and notice requirements that were heavily negotiated in SB19-107. CAR and other stakeholders feared this bill would ultimately hurt property owners without these important notice provisions.



Water:

HB-1159: State Engineer Confirm Existing Use Instream Flow

Rep. Dylan Roberts, Rep. Marc Catlin, Sen. Kerry Donovan, and Sen. Don Coram

Position: SUPPORT

Status: Signed by Governor Polis

Under existing law, any instream flow appropriation is subject to uses and exchanges of water by other water users that existed prior to the appropriation, whether or not the preexisting use has been approved by a court order or decree. HB-1159 would improve current law by requiring the State Engineer or a water court judge to approve a claim of an existing use or exchange if it has not already been approved by a court order or decree.

REALTORS® recognize that to maintain the quality of life Coloradans cherish, we must protect the state's water sources. HB-1159 adds an additional layer of protection for water rights owners involved in a water transaction and creates a transparent oversight system.

SB-25: Conservancy District Boards Art and Beautification Projects

Sen. Leroy Garcia, Rep. Bri Buentello, and Rep. Daneya Esgar

Position: SUPPORT

Status: Signed by Governor Polis

SB-25 allows flood control conservancy districts to improve aesthetic features of waterways, parks, and recreational facilities through artistic and beautification projects. These costs and any current expenses of the district that can be financed through a maintenance fund assessment.

LPC supports empowering our local communities to enhance, preserve, and protect our state's most precious natural resources. Investing in our waterways and recreational facilities is an investment in the well-being of our local economies and improves quality of life for Coloradans.



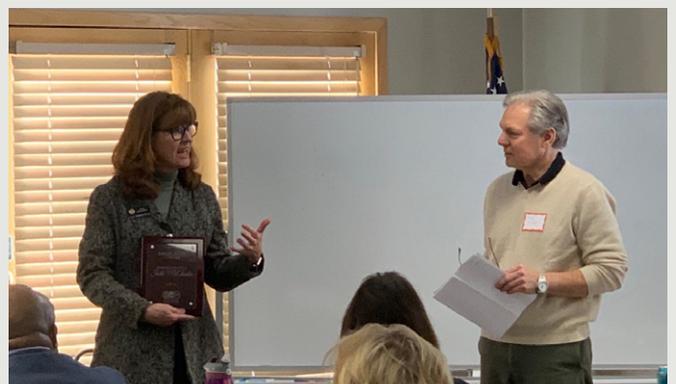
South Metro Denver Association of REALTORS® and CAR LPC Leadership present 2019 Legislator of the Year award to Sen. Jeff Bridges (D-Greenwood Village).



Denver Metro Association of REALTORS® present 2019 Legislator of the Year award to Rep. Monica Duran (D-Wheat Ridge).



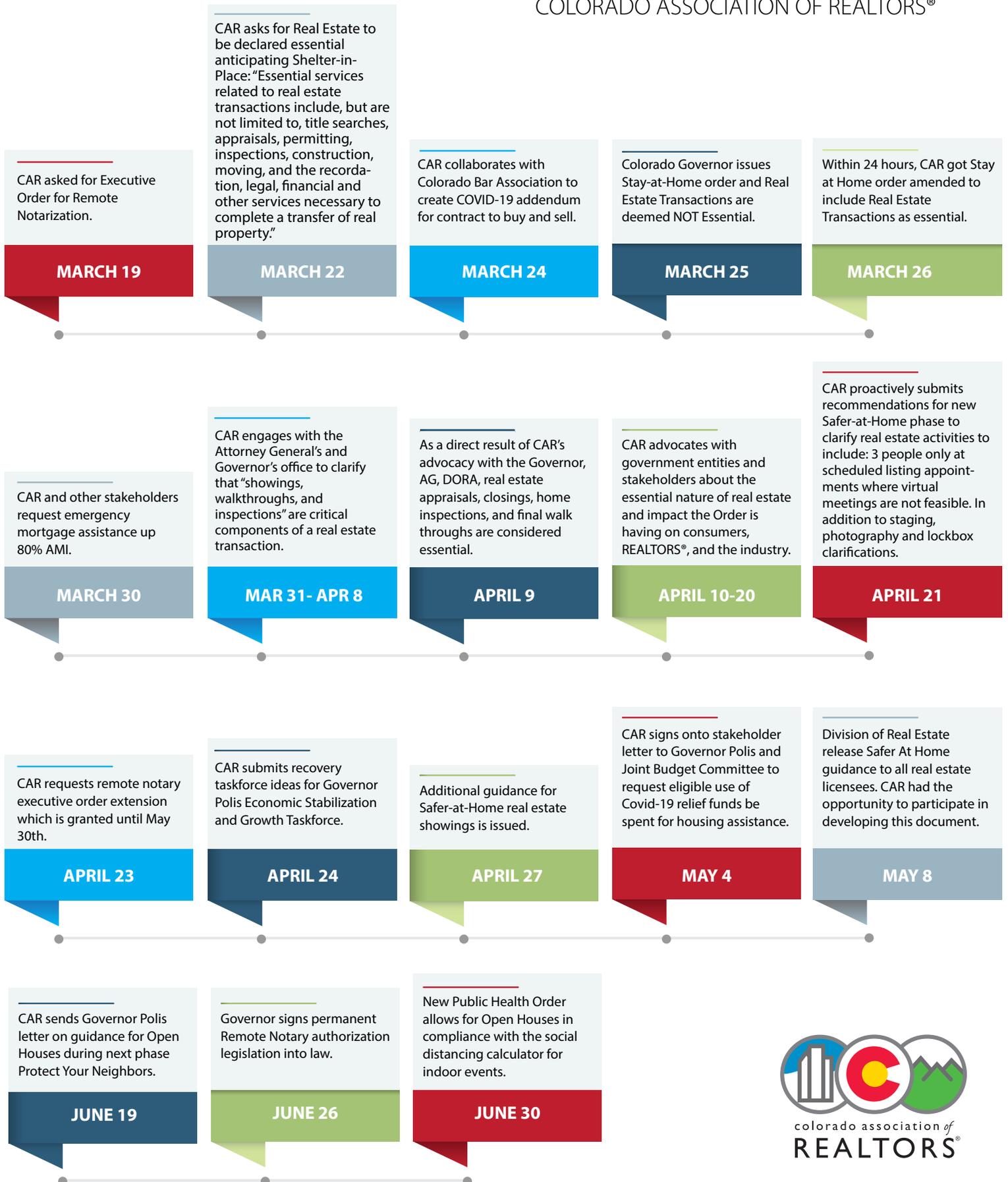
South Metro Denver Association of REALTORS® and CAR Leadership present 2019 Legislator of the Year award to Sen. Chris Holbert (R-Centennial).



Summit REALTORS® present 2019 Legislator of the Year award to Rep. Julie McCluskie (D-Dillon).

2020 COVID-19 TIMELINE OF ADVOCACY

COLORADO ASSOCIATION OF REALTORS®



Thank You Leaders!

SPECIAL THANK YOU TO LPC MEMBERS, LEADERSHIP, AND STAFF

This year, 41 committed REALTOR® members worked hard to protect the real estate industry. The members of LPC come from all corners of the state and actively participate in various subcommittees to review and recommend action on specific bills.

At CAR, we lead the charge by building the key relationships that give REALTORS® a seat at the table to ensure Colorado REALTORS® have the tools to succeed, but we couldn't do all of this without the countless volunteer hours from the LPC to be successful. The work you do in the community every day, the experience you bring to the table, and your passion truly make a big difference.

2020 CAR LEGISLATIVE POLICY COMMITTEE

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LPC Vice-Chair: Jon Roberts

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Janene Johnson
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