



2018 Legislative Session Report for BOMA

The second regular session of Colorado's 71st General Assembly adjourned on May 9, 2018. Several large issues were still unresolved heading into the last week of the session, with legislators reaching deals on the two most prominent bills (dealing with transportation funding and the public employee pension fund) within the final two days.

721 bills (plus assorted resolutions, memorials, and referred measures) were introduced this session, the largest number since 2003. 432 were passed, and the legislature's split control ensured that only bipartisan bills were successful.

BOMA's Legislative Affairs Committee monitored and took positions on nearly 20 pieces of legislation. This report will highlight the key bills that BOMA actively took positions on and engaged.

2018 Legislative Session Key Bills:

HB18-1067 – "Right to Rest" by Representatives Melton (D) and Salazar (D) - the bill creates the 'Colorado Right to Rest Act', which establishes basic rights for persons experiencing homelessness, including, but not limited to, the right to use and move freely in public spaces, to rest in public spaces, to eat or accept food in any public space where food is not prohibited, to occupy a legally parked vehicle, and to have a reasonable expectation of privacy of one's property.

- **BOMA Position - OPPOSE – Bill was Defeated**

HB18-1227 – Real Estate Commission Flexibility in License Periods by Rep. Herod (D) and Wist (R) and Senator Cooke (R) - Recent legislation changed the expiration dates of real estate licenses from an anniversary date 3 years after the date of initial issuance to December 31 of the third year after issuance and did not allow the real estate commission a period to transition licenses. To allow more flexibility in transitioning from the anniversary date system to the calendar-year system, the bill authorizes the commission to issue licenses that expire on December 31 of the year of issuance.

- **BOMA Position – Monitor – Bill passed & Signed by Governor**



HB18-1383 – Bonding Requirements for Public Projects Using Private Financing by Rep. Winter (D) and Senator Priola (R) - Pursuant to current law, when a person, company, firm, corporation, or contractor (contractor) enters into a contract with certain governmental entities or governmental bodies to perform work in connection with certain projects, the contractor is required to execute performance bonds and payment bonds. The bill specified that these bonding requirements apply to all construction contracts situated or located on public real property using public or private money, public or private financing, or public real property

- **BOMA Position – Neutral – Bill was Defeated**
- Notes: BOMA actively monitored and worked to be sure the language of this bill would not have an adverse impact on building owners & managers. Similar legislation anticipated to be introduced again next session.

SB18-62 – Snow Removal Services Liability Limitation by Senator Moreno (D) and Rep. Melton (D) - The bill enacts the 'Snow Removal Service Liability Limitation Act', which makes void provisions of snow removal agreements that require one party to indemnify the other party for damages, hold the other party harmless for damages, and provide for the defense of the other party in a liability lawsuit.

- **BOMA Position was Oppose as Introduced but changed to Neutral** after working with Bill Sponsors, proponents and opponents on amendments successfully.

Full BOMA 2018 Legislative Bill Tracking:

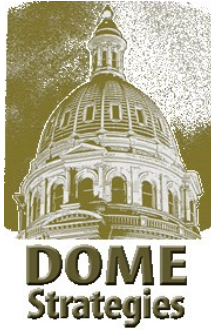
For a full list of legislation that BOMA monitored during the 2018 Legislative Session and Links to the bills, please [click here](#).

2018 Interim Committees

Although Legislators proposed 20 requests for interim study committees, only two received bipartisan support from the Legislative Council:

- [Regarding the Alternatives to the Gallagher Amendment](#)
- [Regarding K-12 School Start Times](#)
- [Legislative Workplace Interim Study Committee](#)

In addition, the Executive Committee of the Legislative Council will be meeting over the interim to evaluate and discuss the findings of the [2018 Legislative Workplace Study](#), which was



commissioned in response to the multiple allegations of sexual harassment in the General Assembly.

[Regular interim committees](#) (such as the Transportation Legislation Review Committee, Water Resources Review Committee) will also be holding hearings and considering potential 2019 legislation during the interim.