

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

ADDENDUM

(As authorized by Section 26, Article V of
the Constitution of the State of Colorado.)

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed the following House documents:

**HB16-1031, 1040, 1077, 1080, 1117, 1160, 1211, 1261, 1290,
1302, 1320, 1324, 1348, 1363, 1368, 1377, 1393, 1427, 1451;
HJR16-1019; HR16-1009.
HB16-1047, 1112, 1142, 1175, 1194, 1222, 1234, 1267, 1286,
1288, 1289, 1321, 1328, 1362, 1386, 1394, 1398, 1404, 1424,
1429, 1438, 1440, 1444, 1456, 1458, 1460.
HB16-1021, 1129, 1332, 1345, 1422, 1426, 1439, 1459, 1462,
1465, 1467.**

The Speaker has signed the following Senate documents:

**SB16-072, 087, 104, and 215.
SB16-116, 169, and 189.
SJR16-030 and 031.
SB16-003, 056, 143, 161, 163, 179, 183, 193, 196, and 208.
SJM16-005; SJR16-029, 032 and 036.
SJR16-034 and 041.
SB16-019, 035, 040, 106, 115, 146, 180, 181, 186, 197, 199,
212, and 217.
SB16-036, 069, 077, 178, 190, 200, 203, 204, and 218;
SCR16-002 and 006.
SJR16-035 and SJR16-037.**

DELIVERY OF BILL(S) TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following
bill(s) has been delivered to the Office of the Governor:

HB16-1256 at 10:25 a.m. on May 12, 2016.
HB16-1097, 1172, 1277, 1378, 1436, 1448, 1453, 1457 at 2:09 p.m.
on May 13, 2016.
HB16-1394 at 4:08 p.m. on May 17, 2016.
**HB16-1031, 1040, 1047, 1077, 1080, 1112, 1117, 1142, 1160, 1175,
1194, 1211, 1222, 1234, 1261, 1267, 1286, 1288, 1289, 1290, 1302,
1320, 1321, 1324, 1328, 1348, 1362, 1363, 1368, 1377, 1386, 1393,
1398, 1404, 1424, 1427, 1429, 1438, 1440, 1444, 1451, 1456, 1458, 1460**
at 11:21 a.m. on May 18, 2016.
**HB16-1021, 1129, 1332, 1345, 1422, 1426, 1439, 1459, 1462, 1465,
1467** at 2:25 p.m. on May 20, 2016.

MESSAGE(S) FROM THE GOVERNOR1
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I certify I received the following on the 12th day of May 2016, at 4:15 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 12, 2016

House of Representatives
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB16-1005: CONCERNING THE USE OF RAIN BARRELS TO COLLECT PRECIPITATION FROM A RESIDENTIAL ROOFTOP FOR NONPOTABLE OUTDOOR USES.

Approved May 12, 2016 at 3:38 pm.

Sincerely,
(Signed)
John W. Hickenlooper
Governor

I certify I received the following on the 19th day of May 2016, at 3:00 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 17, 2016

House of Representatives
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB16-1100: CONCERNING THE ABILITY OF UNACCOMPANIED HOMELESS YOUTH TO DETERMINE DOMICILE FOR PURPOSES OF IN-STATE TUITION STATUS AT INSTITUTIONS OF HIGHER EDUCATION.

Approved May 17, 2016 at 4:36 pm.

1 HB16-1276: CONCERNING THE DIVISION OF RECLAMATION,
2 MINING, AND SAFETY'S ABILITY TO CONDUCT
3 EMERGENCY RESPONSES AT LEGACY HARD ROCK
4 MINING SITES.

5
6 Approved May 17, 2016 at 8:36 am.

7
8 HB16-1336: CONCERNING THE CREATION OF A SINGLE
9 GEOGRAPHIC RATING AREA FOR HEALTH INSURERS
10 TO USE WHEN ESTABLISHING RATES FOR
11 INDIVIDUAL HEALTH INSURANCE PLANS.

12
13 Approved May 17, 2016 at 2:09 pm.

14
15
16 HB16-1354: CONCERNING AUTHORIZATION FOR A SCHOOL
17 DISTRICT TO IMPOSE AN ADDITIONAL MILL LEVY
18 FOR THE SOLE PURPOSE OF FUNDING CAPITAL
19 CONSTRUCTION, NEW TECHNOLOGY, EXISTING
20 TECHNOLOGY UPGRADE, AND MAINTENANCE NEEDS
21 OF THE DISTRICT WITHOUT BORROWING MONEY.

22
23 Approved May 17, 2016 at 11:13 am.

24
25 Sincerely,
26 (Signed)
27 John W. Hickenlooper
28 Governor

29
30
31 May 18, 2016
32
33 House of Representatives
34 Seventieth General Assembly
35 State Capitol
36 Denver, CO 80203

37
38 Ladies and Gentlemen:

39
40 I have the honor to inform you that I have approved and filed with
41 the Secretary of State the following Acts:

42
43 HB16-1006: CONCERNING CLARIFICATION OF THE SCOPE OF THE
44 EXEMPTION FROM GOVERNMENT CHARGES FOR
45 PROPERTY OWNED BY OR LEASED TO A HOUSING
46 AUTHORITY OR OWNED BY, LEASED TO, OR UNDER
47 CONSTRUCTION BY AN ENTITY THAT IS WHOLLY
48 OWNED BY AN AUTHORITY, AN ENTITY IN WHICH AN
49 AUTHORITY HAS AN OWNERSHIP INTEREST, OR AN
50 ENTITY IN WHICH AN ENTITY WHOLLY OWNED BY
51 AN AUTHORITY OR OF WHICH AN AUTHORITY IS THE
52 SOLE MEMBER HAS AN OWNERSHIP INTEREST.

53
54 Approved May 18, 2016 at 4:02 pm.
55

1 HB16-1063: CONCERNING AN EXCEPTION TO THE PROHIBITION
2 AGAINST DISCLOSING CONFIDENTIAL
3 COMMUNICATIONS WITH A MENTAL HEALTH
4 PROFESSIONAL WHEN SCHOOL SAFETY IS AT RISK.

5
6 Approved May 18, 2016 at 3:21 pm.

7
8 HB16-1101: CONCERNING MEDICAL DECISIONS FOR
9 UNREPRESENTED PATIENTS.

10
11 Approved May 18, 2016 at 9:38 am.

12
13 HB16-1228: CONCERNING AN ALTERNATIVE TRANSFER
14 MECHANISM FOR WATER RIGHTS THAT PROTECTS
15 THE AGRICULTURAL USE FOR WHICH A WATER
16 RIGHT WAS ORIGINALLY DECREED WHILE
17 PERMITTING RENEWABLE ONE-YEAR TRANSFERS OF
18 A PORTION OF THE WATER SUBJECT TO THE WATER
19 RIGHT.

20
21 Approved May 18, 2016 at 1:31 pm.

22
23 HB16-1394: CONCERNING CLARIFYING DEFINITIONS RELATED TO
24 AT-RISK PERSONS.

25
26 Approved May 18, 2016 at 10:17 am.

27
28 Sincerely,
29 (Signed)
30 John W. Hickenlooper
31 Governor

32
33
34 I certify I received the following on the 20th day of May 2016, at
35 1:58 p.m. The original is on file in the records of the House of
36 Representatives of the General Assembly.

37
38 Marilyn Eddins,
39 Chief Clerk of the House

40 May 19, 2016
41
42 House of Representatives
43 Seventieth General Assembly
44 State Capitol
45 Denver, CO 80203

46
47 Ladies and Gentlemen:

48
49 I have the honor to inform you that I have approved and filed with
50 the Secretary of State the following Acts:

51
52 HB16-1027: CONCERNING DEPOSITIONS IN CRIMINAL CASES IN
53 WHICH AN AT-RISK PERSON MAY NOT BE
54 AVAILABLE FOR TRIAL.

55
56 Approved May 19, 2016 at 9:49 am.

1 HB16-1227: CONCERNING EXEMPTIONS FROM CHILD SUPPORT
 2 ENFORCEMENT REQUIREMENTS AS A CONDITION OF
 3 RECEIPT OF CHILD CARE ASSISTANCE UNDER THE
 4 COLORADO CHILD CARE ASSISTANCE PROGRAM,
 5 AND, IN CONNECTION THEREWITH, MAKING AN
 6 APPROPRIATION.

7
 8 Approved May 19, 2016 at 2:12 pm.

9
 10 HB16-1302: CONCERNING THE ALIGNMENT OF THE COLORADO
 11 STATUTES WITH THE FEDERAL "WORKFORCE
 12 INNOVATION AND OPPORTUNITY ACT" THROUGH
 13 THE "COLORADO CAREER ADVANCEMENT ACT".

14
 15 Approved May 19, 2016 at 3:48 pm.

16
 17 HB16-1390: CONCERNING IMMUNITY FOR CERTAIN PERSONS
 18 WHO ARE INVOLVED WITH A REPORTED OVERDOSE
 19 EVENT.

20
 21 Approved May 19, 2016 at 4:27 pm.

22
 23 Sincerely,
 24 (Signed)
 25 John W. Hickenlooper
 26 Governor

27 _____

28
 29
 30 I certify I received the following on the 23rd day of May 2016, at
 31 2:45 p.m. The original is on file in the records of the House of
 32 Representatives of the General Assembly.

33
 34 Marilyn Eddins,
 35 Chief Clerk of the House

36 May 20, 2016
 37
 38 House of Representatives
 39 Seventieth General Assembly
 40 State Capitol
 41 Denver, CO 80203

42
 43 Ladies and Gentlemen:

44
 45 I have the honor to inform you that I have approved and filed with
 46 the Secretary of State the following Acts:

47
 48 HB16-1097: Concerning regulation of Medicaid nonemergency
 49 transportation providers, and, in connection therewith, making
 50 and reducing an appropriation.

51
 52 Approved May 20, 2016 at 10:23 am.

53
 54 HB16-1197: Concerning a requirement that state agencies implement a
 55 program to streamline the granting of occupational credentials

1 to veterans based on military training, and, in connection
2 therewith, making an appropriation.

3
4 Approved May 20, 2016 at 4:12 pm.

5
6 HB16-1267: Concerning the "Colorado Veterans' Service-To-Career Pilot
7 Program", and, in connection therewith, creating a grant
8 program through the Department of Labor and Employment to
9 aid workforce centers in supporting veterans and their spouses
10 seeking new employment and careers, and making an
11 appropriation.

12
13 Approved May 20, 2016 at 12:23 pm.

14
15 HB16-1278: Concerning residential drug treatment for persons on probation.

16
17 Approved May 20, 2016 at 12:27 pm.

18
19 HB16-1288: Concerning the creation of an industry infrastructure grant
20 program within the State Workforce Development Council.

21
22 Approved May 20, 2016 at 9:06 am.

23
24 HB16-1290: Concerning an extension of the transitional jobs program, and,
25 in connection therewith, making an appropriation.

26
27 Approved May 20, 2016 at 4:40 pm.

28
29 HB16-1453: Concerning measures to enhance cybersecurity, and, in
30 connection therewith, making an appropriation.

31
32 Approved May 20, 2016 at 3:09 pm.

33
34 Sincerely,
35 (Signed)
36 John W. Hickenlooper
37 Governor

38
39
40 I certify I received the following on the 26th day of May 2016, at
41 2:30 p.m. The original is on file in the records of the House of
42 Representatives of the General Assembly.

43
44
45 Marilyn Eddins,
46 Chief Clerk of the House

47 May 26, 2016
48
49 House of Representatives
50 Seventieth General Assembly
51 State Capitol
52 Denver, CO 80203

53
54 Ladies and Gentlemen:
55

1 I have the honor to inform you that I have approved and filed with
2 the Secretary of State the following Acts:

3
4 HB16-1462: CONCERNING A MODIFICATION TO THE PROVISIONS
5 ENACTED IN HOUSE BILL 11-1155 TO AUTHORIZE
6 COMBINING THE FULL-TIME EQUIVALENT
7 EMPLOYMENT OF THE LIEUTENANT GOVERNOR AND
8 THE STATE CHIEF OPERATING OFFICER.

9
10 Approved May 26, 2016 at 12:26 pm.

11
12 Sincerely,
13 (Signed)
14 John W. Hickenlooper
15 Governor

16 _____
17
18 I certify I received the following on the 1st day of June 2016, at
19 3:30 p.m. The original is on file in the records of the House of
20 Representatives of the General Assembly.

21
22 Marilyn Eddins,
23 Chief Clerk of the House

24 May 27, 2016
25
26 House of Representatives
27 Seventieth General Assembly
28 State Capitol
29 Denver, CO 80203

30
31 Ladies and Gentlemen:

32
33 I have the honor to inform you that I have approved and filed with the
34 Secretary of State the following Acts:

35
36 HB16-1289: CONCERNING THE AUTHORITY OF THE DIVISION OF
37 PARKS AND WILDLIFE TO ACQUIRE REAL PROPERTY
38 FOR THEIR GARFIELD COUNTY ADMINISTRATIVE
39 OFFICE AND PUBLIC SERVICE CENTER, AND, IN
40 CONNECTION THEREWITH, MAKING AN
41 APPROPRIATION.

42
43 Approved May 27, 2016 at 1:27 pm.

44
45 HB16-1444: CONCERNING THE DEFINITION OF A "QUALIFYING
46 DISABLED VETERAN" AS IT RELATES TO A PROPERTY
47 TAX EXEMPTION FOR SUCH INDIVIDUALS.

48
49 Approved May 27, 2016 at 10:10 am.

50
51 Sincerely,
52 (Signed)
53 John W. Hickenlooper
54 Governor

55 _____
56

1 I certify I received the following on the 2nd day of June 2016, at
2 11:00 a.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4
5 Marilyn Eddins,
6 Chief Clerk of the House

7 June 1, 2016

8
9 House of Representatives
10 Seventieth General Assembly
11 State Capitol
12 Denver, CO 80203

13
14 Ladies and Gentlemen:

15
16 I have the honor to inform you that I have approved and filed with
17 the Secretary of State the following Acts:

18
19 HB16-1187: CONCERNING A SALES AND USE TAX EXEMPTION
20 FOR MEALS PROVIDED IN CERTAIN RETIREMENT
21 COMMUNITIES.

22
23 Approved June 1, 2016 at 3:15 pm.

24
25 HB16-1277: CONCERNING THE APPEAL PROCESS FOR MEDICAL
26 ASSISTANCE BENEFITS, AND, IN CONNECTION
27 THEREWITH, MAKING AN APPROPRIATION.

28
29 Approved June 1, 2016 at 9:52 am.

30
31 HB16-1280: CONCERNING THE REGULATION OF AIR AMBULANCE
32 SERVICE, AND, IN CONNECTION THEREWITH,
33 MAKING AN APPROPRIATION.

34
35 Approved June 1, 2016 at 4:05 pm.

36
37 HB16-1387: CONCERNING HEALTH INSURANCE COVERAGE FOR
38 SEVERE PROTEIN ALLERGIC CONDITIONS.

39
40 Approved June 1, 2016 at 2:40 pm.

41
42 HB16-1397: CONCERNING THE COMPLETION OF THE FITZSIMONS
43 STATE VETERANS COMMUNITY LIVING CENTER TO
44 PROVIDE A CONTINUUM OF RESIDENTIAL CARE
45 OPTIONS.

46
47 Approved June 1, 2016 at 1:43 pm.

48
49 HB16-1438: CONCERNING THE PROVISION OF REASONABLE
50 ACCOMMODATIONS BY AN EMPLOYER FOR PERSONS
51 WHO HAVE A CONDITION RELATED TO PREGNANCY.

52
53 Approved June 1, 2016 at 4:07 pm.
54

1 HB16-1456: CONCERNING THE SALE OF A PORTION OF LAND AT
2 THE COLORADO MENTAL HEALTH INSTITUTE AT
3 FORT LOGAN TO THE UNITED STATES DEPARTMENT
4 OF VETERANS AFFAIRS FOR THE EXPANSION OF
5 FORT LOGAN NATIONAL CEMETERY.
6

7 Approved June 1, 2016 at 9:51 am.
8

9 Sincerely,
10 (Signed)
11 John W. Hickenlooper
12 Governor
13

14
15
16 June 2, 2016
17

18 The Honorable Colorado House of Representatives
19 State Capitol
20 200 E. Colfax Ave.
21 Denver, CO 80203
22

23 Dear Members of the Colorado House of Representatives:
24

25 Today, I vetoed House Bill 16-1231, "Concerning the Limited Use of
26 Automated Vehicle Identification Systems Designed to Detect Disobedience to
27 a Traffic Signal," at 2:09 p.m.
28

29 Last year, we wrote to the General Assembly on several occasions in agreement
30 that use of traffic photo-enforcement tools should be limited and used only in
31 a manner that instills trust in government and confidence that public safety is
32 paramount. Specifically, we requested the General Assembly to enact
33 legislation that:
34

35 ". . . limits photo-radar and red light cameras to only the
36 following locations: (1) school zones; (2) construction and
37 roadway work zones; and (3) areas with disproportionately high
38 traffic and pedestrian accidents, injuries, and fatalities.
39 Secondly, legislation should require that fine revenue be used
40 solely for traffic safety improvements and enforcement, rather
41 than general operating funds or non-transportation purposes."
42

43 House Bill 16-1231 implements no such reasonable limitations. Rather,
44 the bill enacts a State-imposed blanket-ban of red light cameras for all
45 municipalities, denying communities the right to decide for themselves based
46 on their own traffic safety needs. Accordingly, HB 16-1231 is vetoed.
47

48 Sincerely,
49 (Signed)
50 John W. Hickenlooper
51 Governor
52

53
54

1 I certify I received the following on the 6th day of June 2016, at
2 2:25 p.m. The original is on file in the records of the House of
3 Representatives of the General Assembly.

4

5

Marilyn Eddins,
Chief Clerk of the House

6

7 June 6, 2016

8

9 House of Representatives
10 Seventieth General Assembly
11 State Capitol
12 Denver, CO 80203

13

14 Ladies and Gentlemen:

15

16 I have the honor to inform you that I have approved and filed with
17 the Secretary of State the following Acts:

18

19 HB16-1040: Concerning auxiliary emergency communications in the state,
20 and, in connection therewith, establishing the auxiliary
21 emergency communications unit in the office of emergency
22 management in the department of public safety, and making an
23 appropriation.

24

25 Approved June 6, 2016 at 11:06 am.

26

27 HB16-1142: Concerning the creation of a credit against the state income tax
28 for rural primary care preceptors training students matriculating
29 at Colorado institutions of higher education.

30

31 Approved June 6, 2016 at 10:44 am.

32

33 HB16-1177: Concerning the continuation of the council of higher education
34 representatives.

35

36 Approved June 6, 2016 at 10:23 am.

37

38 HB16-1186: Concerning the allocation of a portion of fee revenues collected
39 from public utilities to meet Colorado's grant match obligations
40 under federal law governing the funding of fixed rail guideway
41 safety oversight programs, and, in connection therewith,
42 making an appropriation.

43

44 Approved June 6, 2016 at 10:21 am.

45

46 HB16-1287: Concerning a requirement that the department of labor and
47 employment study the integration of alternative training by
48 Colorado businesses.

49

50 Approved June 6, 2016 at 10:25 am.

51

52 HB16-1329: Concerning laws governing limited liability companies codified
53 in article 80 of title 7 of the colorado revised statutes.

54

55 Approved June 6, 2016 at 11:36 am.

56

- 1 HB16-1330: Concerning authority to file a correction statement with the
2 secretary of state if a document previously filed was delivered
3 to the secretary of state for filing in error.
4
5 Approved June 6, 2016 at 11:34 am.
6
- 7 HB16-1332: Concerning modifications to the income tax credits for
8 alternative fuel motor vehicles, and, in connection therewith,
9 fixing specified dollar amounts for the credits, allowing the
10 credit to be assigned to a financing entity, requiring vehicle
11 identification number tracking of the motor vehicle for which
12 a credit is claimed, and making an appropriation.
13
14 Approved June 6, 2016 at 11:23 am.
15
- 16 HB16-1333: Concerning laws governing partnerships codified in title 7 of
17 the Colorado revised statutes.
18
19 Approved June 6, 2016 at 11:35 am.
20
- 21 HB16-1348: Concerning a specific crime of cruelty to a certified police
22 working dog.
23
24 Approved June 6, 2016 at 11:18 am.
25
- 26 HB16-1349: Concerning continuation of the voluntary contribution to the
27 military family relief fund.
28
29 Approved June 6, 2016 at 10:23 am.
30
- 31 HB16-1368: Concerning the codification of current practice for the
32 management of records of governmental agencies.
33
34 Approved June 6, 2016 at 10:53 am.
35
- 36 HB16-1373: Concerning requiring school districts to adopt a policy
37 permitting the use of medical marijuana by students authorized
38 to use medical marijuana.
39
40 Approved June 6, 2016 at 11:00 am.
41
- 42 HB16-1375: Concerning changes to dates for submitting reports that involve
43 the department of higher education.
44
45 Approved June 6, 2016 at 10:25 am.
46
- 47 HB16-1458: Concerning measures to effectuate the conservation of native
48 species in Colorado, and, in connection therewith, making
49 appropriations from the species conservation trust fund for
50 purposes recommended by the department of natural resources.
51
52 Approved June 6, 2016 at 10:24 am.
53

1 HB16-1465: Concerning modifications to the Colorado low-income housing
2 tax credit, and, in connection therewith, extending the period
3 during which the Colorado housing and finance authority may
4 allocate low-income housing tax credits.

5
6 Approved June 6, 2016 at 11:50 am.

7
8 Sincerely,
9 (Signed)
10 John W. Hickenlooper
11 Governor

12
13
14 I certify I received the following on the 9th day of June 2016, at
15 11:30 a.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.

17
18 Marilyn Eddins,
19 Chief Clerk of the House

20 June 8, 2016

21
22 House of Representatives
23 Seventieth General Assembly
24 State Capitol
25 Denver, CO 80203

26
27 Ladies and Gentlemen:

28
29 I have the honor to inform you that I have approved and filed with
30 the Secretary of State the following Acts:

31
32 HB16-1047: CONCERNING THE ADOPTION OF AN INTERSTATE
33 COMPACT TO ALLOW PHYSICIANS TO BECOME
34 LICENSED IN MULTIPLE STATES THROUGH AN
35 EXPEDITED LICENSURE PROCESS, AND, IN
36 CONNECTION THEREWITH, MAKING AN
37 APPROPRIATION.

38
39 Approved June 8, 2016 at 3:39 PM.

40
41 HB16-1088: CONCERNING THE AUTHORIZATION FOR A FIRE
42 PROTECTION DISTRICT TO IMPOSE AN IMPACT FEE
43 ON NEW DEVELOPMENT, AND, IN CONNECTION
44 THEREWITH, ENACTING THE "PUBLIC SAFETY
45 FAIRNESS ACT".

46
47 Approved June 8, 2016 at 3:52 PM.

48
49 HB16-1114: CONCERNING THE REPEAL OF DUPLICATE
50 REPORTING REQUIREMENTS.

51
52 Approved June 8, 2016 at 4:26 PM.

53

- 1 HB16-1129: CONCERNING MEASURES FOR ENHANCED
2 ENFORCEMENT AGAINST ACTS OF CHARITABLE
3 FRAUD.
4
5 Approved June 8, 2016 at 4:05 PM.
6
- 7 HB16-1171: CONCERNING CONTINUATION OF THE COLORADO
8 SPECIAL EDUCATION FISCAL ADVISORY COMMITTEE.
9
10 Approved June 8, 2016 at 2:39 PM.
11
- 12 HB16-1194: CONCERNING A TEMPORARY INCOME TAX
13 DEDUCTION FOR A PORTION OF LEASE PAYMENTS
14 RECEIVED BY A QUALIFIED TAXPAYER FOR LEASING
15 THE TAXPAYER'S AGRICULTURAL ASSET TO AN
16 ELIGIBLE BEGINNING FARMER OR RANCHER.
17
18 Approved June 8, 2016 at 3:41 PM.
19
- 20 HB16-1282: CONCERNING THE ALIGNMENT OF REGULAR
21 BIENNIAL SCHOOL ELECTIONS WITH DISCLOSURE
22 REQUIREMENTS GOVERNING OTHER ELECTION
23 RACES UNDER THE "FAIR CAMPAIGN PRACTICES
24 ACT", AND, IN CONNECTION THEREWITH, MAKING
25 AN APPROPRIATION.
26
27 Approved June 8, 2016 at 4:30 PM.
28
- 29 HB16-1320: CONCERNING THE REGULATION OF MASSAGE
30 THERAPY TO MODIFY PRACTICES THAT ARE LINKED
31 TO CRIMINAL BEHAVIOR.
32
33 Approved June 8, 2016 at 4:23 PM.
34
- 35 HB16-1335: CONCERNING THE UNLAWFUL SALE OF CERTAIN
36 PUBLICLY PROVIDED GOVERNMENT SERVICES.
37
38 Approved June 8, 2016 at 3:39 PM.
39
- 40 HB16-1377: CONCERNING THE CREATION OF A TASK FORCE ON
41 THE COLLECTION AND SECURITY OF DIGITAL
42 IMAGES OF EVIDENCE OF CHILD ABUSE OR NEGLECT.
43
44 Approved June 8, 2016 at 3:41 PM.
45
- 46 HB16-1429: CONCERNING ALTERNATIVE EDUCATION CAMPUSES,
47 AND, IN CONNECTION THEREWITH, MAKING AN
48 APPROPRIATION.
49
50 Approved June 8, 2016 at 3:40 PM.
51

52 Sincerely,
53 (Signed)
54 John W. Hickenlooper
55 Governor
56

1 June 9, 2016

2

3 House of Representatives
4 Seventieth General Assembly
5 State Capitol
6 Denver, CO 80203

7

8 Ladies and Gentlemen:

9

10 I have the honor to inform you that I have approved and filed with
11 the Secretary of State the following Acts:

12

13 HB16-1256: Concerning a study regarding the creation of additional water
14 storage in the South Platte River Basin, and, in connection
15 therewith, making an appropriation.

16

17 Approved June 9, 2016 at 9:54 AM

18

19 Sincerely,
20 (Sincerely)
21 John W. Hickenlooper
22 Governor

23

24

25 I certify I received the following on the 9th day of June 2016, at
26 4:30 p.m. The original is on file in the records of the House of
27 Representatives of the General Assembly.

28

29

Marilyn Eddins,
Chief Clerk of the House

30

31

32 June 9, 2016

33

34 The Honorable Colorado House of Representatives
35 State Capitol
36 200 E. Colfax Ave.
37 Denver, CO 80203

38

39 Dear Members of the Colorado House of Representatives:

40

41 Today, we are filing with the Secretary of State House Bill 16-1401,
42 "Concerning the Regulation of Retail Food Establishments."

43

44 As I am neither signing nor vetoing HB 16-1401, therefore, the bill will
45 become law on 12:01 a.m. on June 11, 2016, and take effect on August 10,
46 2016. This letter sets forth my reasons for allowing HB 16-1401 to become law
47 absent my signature.

48

49 In order to improve public health and reduce illness, restaurant
50 inspection programs should be properly funded, have appropriately trained
51 inspectors, and focus on educating food establishments. Over the next three
52 years, HB 16-1401 will increase funding for retail food establishment
53 inspections like restaurants and grocery stores with delis. The bill also ensures
54 that retail food inspectors meet national standards for education and training,
55 while focusing on the highest risk establishments and working to prevent and
56 correct food safety hazards.

1 Many Coloradans cross county lines daily to live, work, and eat.
2 Ensuring that they have access to the same information about the food safety is
3 important to promoting public health statewide. The bill requires the
4 Department of Public Health and Environment to work with the retail food
5 industry, local public health agencies, and others to establish a uniform system
6 to communicate inspection results with consumers. The bill also simplifies
7 licensing categories, easing the regulatory burden on the industry and local
8 public health agencies.
9

10 House Bill 16-1401 is the result of a lengthy stakeholder process
11 directed by prior legislation. Industry, counties, and other public health officials
12 came together and negotiated in good faith. No one achieved all of their
13 desires, and the overall result was good policy benefiting both Colorado's food
14 industry and public health.
15

16 However, several county governments raised concerns that the final
17 version of the bill does not give sufficient control and flexibility in
18 administering inspection programs. Some note that the bill prevents a county
19 from using certain types of inspection and reporting systems, including letter
20 grades, to communicate inspection results to their citizens. They also note the
21 bill requires counties to set licensing fees at a set level and spend increased
22 funds solely on inspections, reducing their authority over their own local
23 budgets and programs in ways most beneficial for their constituents.
24

25 Although the restaurant inspection program is a state program to ensure
26 all Coloradans have the same access to safe foods, within federal requirements
27 and standards, counties should have authority to innovate and use systems that
28 work best for their communities. While the bill enacts needed advancements for
29 the food inspection program, we are cautious of limited local flexibility for
30 counties.
31

32 For this reason, I am allowing HB 16-1401 to become law without my
33 signature. We encourage the General Assembly to continue this conversation
34 and balance the needs of statewide uniformity with individual counties' ability
35 to create their own programs that best serve their communities and citizens. We
36 stand ready to work with you.
37

38 Sincerely,
39 (Signed)
40 John W. Hickenlooper
41 Governor
42

43
44 I certify I received the following on the 10th day of June, 2016, at
45 3:30 p.m. The original is on file in the records of the House of
46 Representatives of the General Assembly.
47

48 Marilyn Eddins,
49 Chief Clerk of the House

50 June 10, 2016
51

52 House of Representatives
53 Seventieth General Assembly
54 State Capitol
55 Denver, CO 80203
56

1 Ladies and Gentlemen:
2

3 I have the honor to inform you that I have approved and filed with
4 the Secretary of State the following Acts:
5

6 HB16-1014: CONCERNING THE CREATION OF THE BUSINESS
7 INTELLIGENCE CENTER PROGRAM WITHIN THE
8 DEPARTMENT OF STATE.
9

10 Approved June 10, 2016 at 9:15 AM.
11

12 HB16-1021: CONCERNING PROVIDING THE OPPORTUNITY TO
13 COLLECT IDENTIFYING INFORMATION FROM
14 APPLICANTS FOR STATE-ISSUED CARDS.
15

16 Approved June 10, 2016 at 9:16 AM.
17

18 HB16-1031: CONCERNING A REQUIREMENT THAT LEGISLATIVE
19 COUNCIL STAFF PRESENT A STUDY OF THE
20 TRANSPORTATION COMMISSION DISTRICTS OF THE
21 STATE TO THE TRANSPORTATION LEGISLATION
22 REVIEW COMMITTEE.
23

24 Approved June 10, 2016 at 9:16 AM.
25

26 HB16-1034: CONCERNING EMERGENCY MEDICAL RESPONDER
27 REGISTRATION IN THE DEPARTMENT OF PUBLIC
28 HEALTH AND ENVIRONMENT, AND, IN CONNECTION
29 THEREWITH, MAKING AN APPROPRIATION.
30

31 Approved June 10, 2016 at 9:16 AM.
32

33 HB16-1056: CONCERNING A REQUIREMENT THAT THE HOLDER
34 OF AN ABANDONED MOTOR VEHICLE USE THE
35 RECORDS OF A NATIONAL TITLE SEARCH TO NOTIFY
36 PERSONS WITH AN INTEREST IN THE MOTOR
37 VEHICLE THAT THE VEHICLE HAS BEEN TOWED AND
38 IS SUBJECT TO SALE, AND, IN CONNECTION
39 THEREWITH, MAKING AN APPROPRIATION.
40

41 Approved June 10, 2016 at 9:16 AM.
42

43 HB16-1077: CONCERNING THE RECREATION OF THE STATUTORY
44 REVISION COMMITTEE, AND, IN CONNECTION
45 THEREWITH, MAKING AN APPROPRIATION.
46

47 Approved June 10, 2016 at 9:17 AM.
48

49 HB16-1080: CONCERNING ASSAULT BY STRANGULATION, AND,
50 IN CONNECTION THEREWITH, MAKING AN
51 APPROPRIATION.
52

53 Approved June 10, 2016 at 9:17 AM.
54

- 1 HB16-1112: CONCERNING THE CREATION OF THE TRAINING
2 VETERANS TO TRAIN THEIR OWN SERVICE DOGS
3 PILOT PROGRAM, AND, IN CONNECTION THEREWITH,
4 MAKING AN APPROPRIATION.
5
6 Approved June 10, 2016 at 9:17 AM.
7
- 8 HB16-1117: CONCERNING A REQUIREMENT THAT CUSTODIAL
9 INTERROGATIONS RELATED TO INVESTIGATIONS
10 FOR CERTAIN SERIOUS FELONIES BE
11 ELECTRONICALLY RECORDED, AND, IN CONNECTION
12 THEREWITH, MAKING AN APPROPRIATION.
13
14 Approved June 10, 2016 at 9:17 AM.
15
- 16 HB16-1160: CONCERNING THE CONTINUATION OF THE SURGICAL
17 ASSISTANT AND SURGICAL TECHNOLOGIST
18 REGISTRATION PROGRAM, AND, IN CONNECTION
19 THEREWITH, MAKING AN APPROPRIATION.
20
21 Approved June 10, 2016 at 9:18 AM.
22
- 23 HB16-1172: CONCERNING THE REESTABLISHMENT OF A
24 STANDING EFFICIENCY AND ACCOUNTABILITY
25 COMMITTEE BY THE STATE TRANSPORTATION
26 COMMISSION, AND, IN CONNECTION THEREWITH,
27 EXPANDING THE MEMBERSHIP AND
28 RESPONSIBILITIES OF THE COMMITTEE, SUBJECTING
29 THE COMMITTEE TO SUNSET REVIEW, REQUIRING A
30 COMMITTEE MEMBER TO DISCLOSE A PERSONAL OR
31 PRIVATE INTEREST THAT COULD BE AFFECTED BY A
32 PROPOSED COMMITTEE RECOMMENDATION AND
33 ABSTAIN FROM ANY COMMITTEE VOTE TO ADOPT
34 OR REJECT THE RECOMMENDATION, AND MAKING
35 AN APPROPRIATION.
36
37 Approved June 10, 2016 at 9:18 AM.
38
- 39 HB16-1175: CONCERNING THE ADMINISTRATION OF THE
40 PROPERTY TAX EXEMPTIONS FOR QUALIFYING
41 SENIORS AND DISABLED VETERANS, AND, IN
42 CONNECTION THEREWITH, MAKING AN
43 APPROPRIATION.
44
45 Approved June 10, 2016 at 9:18 AM.
46
- 47 HB16-1211: CONCERNING LICENSING MARIJUANA
48 TRANSPORTERS, AND, IN CONNECTION THEREWITH,
49 MAKING AN APPROPRIATION.
50
51 Approved June 10, 2016 at 9:18 AM.
52

- 1 HB16-1222: CONCERNING INCREASING THE AVAILABILITY OF
2 SUPPLEMENTAL ONLINE EDUCATION RESOURCES,
3 AND, IN CONNECTION THEREWITH, CREATING THE
4 STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED
5 LEARNING PROGRAM AND MAKING AN
6 APPROPRIATION.
7
8 Approved June 10, 2016 at 9:19 AM.
9
10
11 HB16-1225: CONCERNING A REQUIREMENT THAT SCHOOL
12 DISTRICTS WITH A CERTAIN MINIMUM NUMBER OF
13 ENROLLED PUPILS POST INFORMATION ONLINE THAT
14 IS SUBMITTED BY DIRECTOR CANDIDATES PRIOR TO
15 THE ELECTION.
16
17 Approved June 10, 2016 at 9:19 AM.
18
19
20 HB16-1232: CONCERNING CONTINUATION OF THE AUTHORITY
21 OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
22 OF REVENUE TO ISSUE WRITTEN RESPONSES UPON
23 THE REQUEST OF A TAXPAYER.
24
25 Approved June 10, 2016 at 9:19 AM.
26
27
28 HB16-1234: CONCERNING THE CONSIDERATION OF METHODS
29 FOR SELECTING STATE ASSESSMENT ALTERNATIVES
30 THAT MAINTAIN THE EXISTING STATE ASSESSMENT
31 REQUIREMENTS, AND, IN CONNECTION THEREWITH,
32 MAKING AN APPROPRIATION.
33
34 Approved June 10, 2016 at 9:19 AM.
35
36
37 HB16-1260: CONCERNING EXTENDING THE CRIMINAL STATUTE
38 OF LIMITATIONS FOR A SEXUAL ASSAULT TO
39 TWENTY YEARS.
40
41 Approved June 10, 2016 at 10:38 AM.
42
43
44 HB16-1261: CONCERNING CONTINUATION OF THE COLORADO
45 RETAIL MARIJUANA CODE, AND, IN CONNECTION
46 THEREWITH, IMPLEMENTING THE
47 RECOMMENDATIONS OF THE 2015 SUNSET REPORT
48 ISSUED BY THE DEPARTMENT OF REGULATORY
49 AGENCIES AND MAKING AN APPROPRIATION.
50
51 Approved June 10, 2016 at 9:20 AM.
52
53 HB16-1262: CONCERNING MEASURES TO IMPROVE PEACE
54 OFFICER HIRING, AND, IN CONNECTION THEREWITH,
55 REQUIRING EMPLOYMENT WAIVERS AS PART OF THE
56 BACKGROUND CHECK PROCESS FOR A PERSON

- 1 APPLYING FOR A POSITION AS A PEACE OFFICER
2 WHO HAS WORKED AS AN OFFICER AND GIVING THE
3 P.O.S.T. BOARD THE AUTHORITY TO DENY
4 CERTIFICATION TO AN APPLICANT WHO ENTERED
5 INTO A DEFERRED AGREEMENT.
6
7 Approved June 10, 2016 at 9:20 AM.
- 8
9 HB16-1263: CONCERNING UPDATES TO THE STATUTORY
10 PROHIBITION ON PROFILING BY PEACE OFFICERS.
11
12 Approved June 10, 2016 at 9:20 AM.
- 13
14 HB16-1264: CONCERNING PROHIBITING THE USE OF A
15 CHOKEHOLD BY A PEACE OFFICER.
16
17 Approved June 10, 2016 at 9:20 AM.
- 18
19 HB16-1265: CONCERNING EXPUNGEMENT OF ARREST RECORDS
20 BASED ON MISTAKEN IDENTITY.
21
22 Approved June 10, 2016 at 9:20 AM.
- 23
24 HB16-1286: CONCERNING AN INCREASE IN THE PERCENTAGE OF
25 A LANDOWNER'S COSTS INCURRED IN PERFORMING
26 WILDFIRE MITIGATION MEASURES THAT MAY BE
27 CLAIMED BY THE LANDOWNER FOR PURPOSES OF
28 THE WILDFIRE MITIGATION INCOME TAX
29 DEDUCTION.
30
31 Approved June 10, 2016 at 9:10 AM.
- 32
33
34 HB16-1311: CONCERNING COURT ORDERS REQUIRING PAYMENT
35 OF MONETARY AMOUNTS.
36
37 Approved June 10, 2016 at 9:21 AM.
- 38
39
40 HB16-1321: CONCERNING MEDICAID BUY-IN FOR PERSONS
41 ELIGIBLE FOR CERTAIN MEDICAID WAIVERS, AND, IN
42 CONNECTION THEREWITH, MAKING AN
43 APPROPRIATION.
44
45 Approved June 10, 2016 at 9:21 AM.
- 46
47
48 HB16-1324: CONCERNING THE AVAILABILITY OF COMPOUNDED
49 PHARMACEUTICAL DRUGS FOR USE BY A
50 VETERINARIAN TO TREAT A PATIENT'S EMERGENCY
51 CONDITION, AND, IN CONNECTION THEREWITH,
52 MAKING AN APPROPRIATION.
53
54 Approved June 10, 2016 at 10:33 AM.
55

- 1 HB16-1328: CONCERNING STATUTORY PROVISIONS RELATED TO
2 THE USE OF SECLUSION ON INDIVIDUALS, AND, IN
3 CONNECTION THEREWITH, MAKING AN
4 APPROPRIATION.
5
6 Approved June 10, 2016 at 9:21 AM.
7
- 8 HB16-1339: CONCERNING AGRICULTURAL PROPERTY
9 FORECLOSURES.
10
11 Approved June 10, 2016 at 9:21 AM.
12
- 13 HB16-1345: CONCERNING THE CONTINUATION OF THE SEX
14 OFFENDER MANAGEMENT BOARD, AND, IN
15 CONNECTION THEREWITH, IMPLEMENTING THE
16 RECOMMENDATIONS OF THE 2015 SUNSET REPORT
17 ISSUED BY THE DEPARTMENT OF REGULATORY
18 AGENCIES.
19
20 Approved June 10, 2016 at 9:22 AM.
21
- 22 HB16-1356: CONCERNING REQUIREMENTS RELATED TO THE
23 SATISFACTION OF INDEBTEDNESS SECURED BY REAL
24 PROPERTY.
25
26 Approved June 10, 2016 at 9:22 AM.
27
- 28 HB16-1359: CONCERNING THE USE OF MEDICAL MARIJUANA
29 WHILE ON PROBATION.
30
31 Approved June 10, 2016 at 9:22 AM.
32
- 33 HB16-1360: CONCERNING THE CONTINUATION OF THE
34 REGULATION OF DIRECT-ENTRY MIDWIVES BY THE
35 DIRECTOR OF THE DIVISION OF PROFESSIONS AND
36 OCCUPATIONS IN THE DEPARTMENT OF
37 REGULATORY AGENCIES, AND, IN CONNECTION
38 THEREWITH, IMPLEMENTING THE
39 RECOMMENDATIONS CONTAINED IN THE SUNSET
40 REPORT PREPARED BY THE DEPARTMENT.
41
42 Approved June 10, 2016 at 9:22 AM.
43
- 44 HB16-1362: CONCERNING THE TRANSFER OF THE FUNCTIONS OF
45 THE LICENSE PLATE AUCTION GROUP TO THE
46 COLORADO DISABILITY FUNDING COMMITTEE, AND,
47 IN CONNECTION THEREWITH, MAKING AN
48 APPROPRIATION.
49
50 Approved June 10, 2016 at 9:15 AM.
51
- 52 HB16-1363: CONCERNING RULE-MAKING AUTHORITY FOR
53 MEDICAL MARIJUANA ADVERTISING DIRECTED AT
54 UNDERAGE PERSONS.
55
56 Approved June 10, 2016 at 9:09 AM.

- 1 HB16-1367: CONCERNING THE RE-CATEGORIZATION OF CERTAIN
2 COUNTIES FOR THE PURPOSE OF DETERMINING
3 SALARIES PAID TO COUNTY OFFICERS IN THOSE
4 COUNTIES.
5
6 Approved June 10, 2016 at 9:10 AM.
7
- 8 HB16-1378: CONCERNING REQUIRING COURTS TO COLLECT
9 MONEY FROM DUI OFFENDERS FOR THE PURPOSE OF
10 REIMBURSING LAW ENFORCEMENT AGENCIES FOR
11 THE COST OF PERFORMING CHEMICAL TESTS.
12
13 Approved June 10, 2016 at 9:11 AM.
14
- 15 HB16-1386: CONCERNING A PROGRAM TO COVER VULNERABLE
16 POPULATIONS' COSTS OF ACQUIRING NECESSARY
17 DOCUMENTS, AND, IN CONNECTION THEREWITH,
18 MAKING AN APPROPRIATION.
19
20 Approved June 10, 2016 at 9:10 AM.
21
- 22 HB16-1391: CONCERNING A PROHIBITION AGAINST
23 NONATTORNEYS PROVIDING LEGAL SERVICES
24 RELATED TO IMMIGRATION MATTERS.
25
26 Approved June 10, 2016 at 9:51 AM.
27
- 28 HB16-1393: CONCERNING PROCEDURES FOR ORDERED TESTING
29 FOR COMMUNICABLE DISEASES.
30
31 Approved June 10, 2016 at 9:11 AM.
32
- 33 HB16-1398: CONCERNING THE REQUIREMENT THAT THE
34 DEPARTMENT OF HUMAN SERVICES USE A REQUEST-
35 FOR-PROPOSAL PROCESS TO CONTRACT WITH AN
36 ENTITY TO IMPLEMENT RECOMMENDATIONS OF THE
37 RESPITE CARE TASK FORCE, AND, IN CONNECTION
38 THEREWITH, MAKING AN APPROPRIATION.
39
40 Approved June 10, 2016 at 9:11 AM.
41
- 42 HB16-1402: CONCERNING A PROHIBITION ON THE USE OF A
43 DEVICE TO ALLOW A PERSON TO PLACE A WAGER
44 ON A PREVIOUSLY RUN SPORTING EVENT.
45
46 Approved June 10, 2016 at 9:11 am.
47
- 48 HB16-1404: CONCERNING THE REGULATION OF FANTASY
49 CONTESTS, AND IN CONNECTION THEREWITH,
50 MAKING AN APPROPRIATION.
51
52 Approved June 10, 2016 at 10:07 AM.
53

- 1 HB16-1422: CONCERNING FINANCING PUBLIC SCHOOLS, AND, IN
2 CONNECTION THEREWITH, MAKING AN
3 APPROPRIATION.
4
5 Approved June 10, 2016 at 9:38 AM.
6
7
- 8 HB16-1423: CONCERNING MEASURES TO MAXIMIZE TRUST IN
9 THE USE OF STUDENT DATA IN THE ELEMENTARY
10 AND SECONDARY EDUCATION SYSTEM.
11
12 Approved June 10, 2016 at 9:59 AM.
13
14
- 15 HB16-1424: CONCERNING QUALIFICATIONS FOR THE
16 ADMINISTRATION OF MEDICATIONS IN FACILITIES,
17 AND, IN CONNECTION THEREWITH, MAKING AN
18 APPROPRIATION.
19
20 Approved June 10, 2016 at 9:12 AM.
21
- 22 HB16-1425: CONCERNING THE REQUIREMENT FOR A LICENSED
23 CHILD CARE CENTER TO OBTAIN RECORDS FOR A
24 CHILD ENROLLED IN THE CENTER ON A SHORT-TERM
25 BASIS.
26
27 Approved June 10, 2016 at 9:12 AM.
28
- 29 HB16-1426: CONCERNING INTENTIONAL MISREPRESENTATION
30 OF ENTITLEMENT TO AN ASSISTANCE ANIMAL.
31
32 Approved June 10, 2016 at 9:13 AM.
33
- 34 HB16-1427: CONCERNING EXEMPTING MULTI-SERVING LIQUID
35 RETAIL MARIJUANA PRODUCTS FROM THE SALES
36 EQUIVALENCY LIMITATION.
37
38 Approved June 10, 2016 at 9:13 AM.
39
- 40 HB16-1432: CONCERNING THE RIGHTS OF PRIVATE SECTOR
41 EMPLOYEES TO INSPECT THEIR PERSONNEL FILES.
42
43 Approved June 10, 2016 at 9:13 AM.
44
- 45 HB16- 1436: CONCERNING A PROHIBITION ON EDIBLE
46 MARIJUANA PRODUCTS THAT ARE SHAPED IN A
47 MANNER TO ENTICE A CHILD.
48
49 Approved June 10, 2016 at 10:28 AM.
50
- 51 HB16-1439: CONCERNING THE CREATION OF A NEW ALCOHOL
52 BEVERAGE LICENSE UNDER THE "COLORADO
53 LIQUOR CODE" TO PERMIT A LODGING AND
54 ENTERTAINMENT FACILITY TO SELL ALCOHOL
55 BEVERAGES BY THE DRINK FOR CONSUMPTION ON
56 THE LICENSED PREMISES, AND, IN CONNECTION

- 1 THEREWITH, ALLOWING THE HOLDER OF A TAVERN
2 LICENSE TO CONVERT THE TAVERN LICENSE TO A
3 LODGING AND ENTERTAINMENT LICENSE OR OTHER
4 APPROPRIATE LICENSE UNDER SPECIFIED
5 CONDITIONS.
6
7 Approved June 10, 2016 at 9:13 AM.
8
9 HB16-1440: CONCERNING REDUCING ADMINISTRATIVE
10 REQUIREMENTS THAT PERTAIN TO THE
11 ELEMENTARY AND SECONDARY PUBLIC EDUCATION
12 SYSTEM.
13
14 Approved June 10, 2016 at 9:14 AM.
15
16 HB16-1442: CONCERNING TECHNICAL MODIFICATIONS TO LAWS
17 ENACTED IN 2014 GOVERNING THE ADMINISTRATION
18 OF NONPARTISAN ELECTIONS CONDUCTED BY A
19 LOCAL GOVERNMENT THAT ARE NOT COORDINATED
20 BY A COUNTY CLERK AND RECORDER.
21
22 Approved June 10, 2016 at 9:13 AM.
23
24 HB16-1448: CONCERNING THE RELATIVE GUARDIANSHIP
25 ASSISTANCE PROGRAM.
26
27 Approved June 10, 2016 at 10:14 AM.
28
29 HB16-1451: CONCERNING A REQUIREMENT THAT THE
30 DEPARTMENT OF PERSONNEL CREATE A
31 PROCUREMENT CODE WORKING GROUP TO STUDY
32 WAYS TO IMPROVE THE STATE'S "PROCUREMENT
33 CODE".
34
35 Approved June 10, 2016 at 9:13 AM.
36
37 HB16-1457: CONCERNING A CLARIFICATION OF THE EXISTING
38 SALES AND USE TAX EXEMPTION FOR RESIDENTIAL
39 ENERGY SOURCES.
40
41 Approved June 10, 2016 at 9:13 AM.
42
43 HB16-1459: CONCERNING AN INCREASE IN THE DOLLAR
44 THRESHOLD FOR THE REVIEW OF CAPITAL
45 CONSTRUCTION OR CAPITAL RENEWAL PROJECTS
46 THAT ARE NOT FOR NEW CONSTRUCTION OR NEW
47 ACQUISITIONS OF REAL PROPERTY FOR AUXILIARY
48 AND ACADEMIC FACILITIES TO BE FUNDED SOLELY
49 FROM CASH FUNDS HELD BY AN INSTITUTION OF
50 HIGHER EDUCATION.
51
52 Approved June 10, 2016 at 9:14 AM.
53

1 HB16-1460: CONCERNING THE AUTHORITY OF THE
2 COMMISSIONER OF AGRICULTURE TO DISPOSE OF
3 AND ACQUIRE SPECIFIED REAL PROPERTY IN
4 FURTHERANCE OF THE DEPARTMENT OF
5 AGRICULTURE'S OFFICE CONSOLIDATION.
6

7 Approved June 10, 2016 at 9:15 AM.
8

9 HB16-1467: CONCERNING A STATE INCOME TAX DEDUCTION
10 FOR AMOUNTS EARNED ON THE INVESTMENT OF
11 MONEY IN A FIRST-TIME HOME BUYER SAVINGS
12 ACCOUNT.
13

14 Approved June 10, 2016 at 9:15 AM.
15

16 Sincerely,
17 (Signed)
18 John W. Hickenlooper
19 Governor
20

21 _____
22
23 I certify I received the following on the 10th day of June, 2016, at
24 4:00 p.m. The original is on file in the records of the House of
25 Representatives of the General Assembly.
26

27 Marilyn Eddins,
28 Chief Clerk of the House

29 June 10, 2016
30

31 The Honorable Colorado House of Representatives
32 State Capitol
33 200 E. Colfax Ave.
34 Denver, CO 80203
35

36 Dear Members of the Colorado House of Representatives:
37

38 Today, we are filing with the Secretary of State House Bill 16-1309,
39 "Concerning a Defendant's Right to Counsel in Certain Cases Considered by
40 Municipal Courts."
41

42 As I am neither signing nor vetoing HB 16-1309, the bill will become
43 law at 12:01 a.m. on June 11, 2016. This letter sets forth my reasons for
44 allowing HB 16-1309 to become law absent my signature.
45

46 In Colorado, state and county courts provide a public defender for in-
47 custody defendants facing jail as a possible penalty at their first appearance
48 before a judge. The vast majority of Colorado municipalities do not currently
49 follow this practice in their municipal courts. As a result, many defendants
50 charged with violating a municipal ordinance face a judge alone at their initial
51 appearance. House Bill 16-1309 addresses this disparity by requiring municipal
52 courts to appoint counsel for criminal defendants at their initial appearance in
53 municipal court if s/he is in custody and charged with an offense carrying
54 possible incarceration. A defendant may waive the appointment of counsel.
55
56

1 The U.S. Supreme Court has held that defendants have the right to
2 counsel at all “critical stages” of a criminal prosecution. At first appearances
3 in municipal courts, defendants often enter a guilty plea, and the case is over.
4 If the defendant pleads not guilty, the judge sets bond, thereby determining a
5 defendant’s pretrial liberty. We believe these are critical stages in the
6 prosecution.

7
8 Under the current system in municipal courts, many defendants who
9 cannot afford to post bond for low-level municipal offenses have the option of
10 pleading guilty and going home after being sentenced to time served, or
11 requesting counsel and waiting in jail until their next court appearance. Given
12 these options, we question how many of these defendants are pleading guilty
13 just to get out of jail, regardless of whether they are guilty or innocent. Without
14 counsel present, many defendants do not understand the lifelong impact a guilty
15 plea may have on a various aspects of their lives, including employment,
16 housing, the ability to hold a driver’s license, and immigration. This system not
17 only disproportionately affects our most vulnerable citizens - many of whom
18 suffer from mental illness or addiction - but also imposes indirect costs on the
19 State by interfering with the ability of defendants to live productive lives after
20 a criminal charge has been resolved.

21
22 While HB 16-1309 enacts laudable policy, it is not perfect. We are
23 concerned that the bill imposes costs on local governments. A commitment to
24 protecting individual liberties and respect for local governments’ financial
25 constraints need not be mutually exclusive. As such, I have directed the Office
26 of State Planning and Budgeting to work with municipalities to determine the
27 costs and savings that will result from enactment of this bill. The Office will
28 evaluate options, including a potential request in the fiscal year 2017-18 budget,
29 for the State to offset costs for local governments.

30
31 For this reason, I am allowing HB 16-1309 to become law without my
32 signature. We stand ready to work with the General Assembly on options to
33 fund this worthwhile policy.

34
35 Sincerely,
36 (Signed)
37 John W. Hickenlooper
38 Governor

39

40

41

42

43

44

45

46

47

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

1